

Read This First -- Improvements to Constitution Party Platform

Message

From: Warren Rogers, Salt Lake County Constitution Party Vice Chairman and Candidate for National Convention Delegate

Please study, think over, discuss with other delegates and pray about the proposals for changes to the national Constitution Party Platform. The proposals are being sent as separate emails in case some of you cannot receive large or many attachments.

The 2004 national Constitution Party platform, currently found on ConstitutionParty.com, includes the following issue positions or planks, listed in the following order.

The Sanctity of Life
Aids
Bring Government Back Home
Character and Moral Conduct
Congressional Reform
Conscription
Constitutional Convention
Copyrights and Patents
Cost of Big Government
Crime
Defense
Domestic Federal Aid
Drug Abuse
Education
Electoral Reform
Electoral College
Energy
Environment
Executive Orders
Family
Foreign Policy
Gambling
Gun Control
Health Care and Government
Immigration
The Judiciary
Money and Banking
Personal and Private Property Security
Pornography
Religious Freedom
Social Security
Statehood
State Sovereignty
Tariffs and Trade
Taxes
Terrorism and Personal Liberty
Veterans
Wage and Price Control
Welfare

Demonstrating that we derive all of our positions from the principles of the Founding Fathers is very important. Most voters now days are not well enough informed regarding founding principles

to recognize the correctness of the positions we take unless we first educate them about the principles. Furthermore, demonstrating the correctness of our planks will be important to our candidates who win public office. We want to avoid a situation in which an elected official deviates from the platform because he sincerely believes that the platform is wrong. A more educational and persuasive platform will reassure officials that following the platform is the right thing to do. The proposals below assume that we will retain the names and contents of the existing planks.

1) I propose that rather than being listed alphabetically, the planks we use be grouped into categories based on the distinct constitutional principles that they embody. This arrangement will enable us to state first the general principle then demonstrate that we reach our positions on specific issues by applying that general principle.

2) I propose that we expand the preamble and the most important but least understood planks by inserting at the beginning of each an explanatory lesson about the pertinent principle. These lessons will rely on quotes from the Founding Fathers or from the Bible to prove that the principles they teach are true.

3) I propose that one category of planks, Orienting Principles, be expanded by the addition of six new planks. This Category discusses not individual issues but rather general principles of just and constitutional government that now days are widely ignored or distorted. These new planks in the category of orienting principles will rely on quotes from the founding fathers to prove the truthfulness of what they teach.

We are tremendously indebted to Scott Bradley, our Candidate for United State Senate from Utah in the 2006 election for originally writing and publishing the lessons I propose to insert into the existing preamble and planks, and some of the new planks. Scott Bradley's senate campaign was very educational.

Here is the layout of the proposed more educational and persuasive platform.

Expanded Preamble
Category, Orienting Principles
Category, Social Issues
Category, The Bill of Rights
Category, National Security
Category, Delegated Powers
Category, Misc
Expanded Foreign Policy Plank

The following re-listing of the categories shows what existing, expanded and new planks go into each category. Note that each plank has been assigned a two digit file number to help ensure that categories stay together when the planks are listed as separate files.

Category, 20 Orienting Principles
21 Constitutionalism Defined
22 Character and Moral Conduct
23 Bring Government Back Home
24 The Proper Role of Government
25 The Consent of the Governed
26 The Rule of Law
27 Separation of Powers
28 Republican Form of Government

Category, 30 Social Issues
31 The Judiciary

- 32 Religious Freedom
- 33 The Sanctity of Life
- 34 Family
- 35 Pornography
- 36 Aids
- 37 Gambling

Category, 40 The Bill of Rights

- 41 Gun Control
- 42 Terrorism and Personal Liberty
- 43 Drug Abuse
- 44 Personal and Private Property Security

Category, 50 National Security

- 51 Immigration
- 52 Defense
- 53 Conscription
- 54 Veterans

Category, 60 Delegated Powers

- 61 Cost of Big Government
- 62 Money and Banking
- 63 Tariffs and Trade
- 64 Taxes
- 65 Copyrights and Patents

Category, 70 Powers Not Delegated

- 71 Wage and Price Control
- 72 Domestic Federal Aid
- 73 Education
- 74 Health Care and Government
- 75 Welfare
- 76 Social Security
- 77 Environment
- 78 Energy

Category, 80 Misc

- 81 Constitutional Convention
- 82 Electoral Reform
- 83 Executive Orders
- 84 Crime
- 85 State Sovereignty
- 86 Congressional Reform
- 87 Statehood
- 88 Electoral College

Foreign Policy

4) I propose that in addition to the planks listed above, each category should have a new plank named the same as the category itself and appearing first therein, explaining briefly why the planks that follow it belong in that category.

5) I propose that within each category, following the new plank named after the category, the other planks be listed in suggested reading order, the planks expanded by the addition of constitution lessons should generally come before those not so expanded.

Preamble

Much of what is currently written, said, and promoted in the establishment media contradicts the principles upon which the United States was founded and, consequently, throughout the Nation there is a general lack of understanding of many critically important truths. The place that God held within this Nation, and in the hearts of the people from the outset, is one such critically important truth. Now days, many journalists, politicians, and judges claim that our founding fathers were trying to remove religious influence from our government and politics. Such claims, although often made, are never supported with quotations from the writings or speeches of any of our founding fathers because there are no such quotations for modern secularists to cite. On the contrary, the writings and speeches of our founders show they believed that God's hand was the sustaining influence overarching and under-girding every significant event that led to the Nation's establishment, and that our founding fathers recognized that influence and gave the Lord their thanks and faith. Those who founded this Nation, with very few exceptions, were godly people who sought, to the best of their ability, to know God's will and to serve Him. To prove this counter claim, we will do what modern secularists cannot. We will cite historical documents.

At the outset of the Revolutionary War, in his monumental speech in which he exclaimed "give me liberty, or give me death!," Patrick Henry encouraged his fellow patriots with the admonition: "...we shall not fight our battles alone. There is a just God who presides over the destinies of Nations; and who will raise up friends to fight our battles for us."

Thomas Jefferson was the principle author of the Declaration of Independence, but the Continental Congress debated, modified and approved the Declaration. The majority of the members of the delegation from each and every one of the thirteen states voted in favor of the final version of the Declaration quoted below. Notice that the first two sentences in the Declaration mention deity.

The Declaration of Independence

IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

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.--...

The Declaration recognizes not only the Nation's reliance upon divine influence and protection but also appeals to the Supreme Judge to endorse the action taken by the Nation in seeking independence. This is evident in the last two sentences of the Declaration.

The Declaration of Independence

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 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;...

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.

During the trying times experienced as this Nation sought to gain its freedom, the great leaders of the day often called upon individuals, families, and congregations throughout the land to participate in a day of fasting and prayer in an offering to God as they sought His Divine intervention on behalf of the cause of liberty. And this effort was not confined to the religious leaders of the day. Legislative bodies often called upon the people to fast and pray for their freedom. Of the many instances which could be cited, the following statement by Thomas Jefferson is perhaps the most brief:

"The Legislature of Virginia happened to be in session... The House of Burgesses, thereupon, passed a resolution, recommending to their fellow-citizens, that that day should be set apart for fasting and prayer to the Supreme Being, imploring him to avert the calamities then threatening us, and to give us one heart and one mind to oppose every invasion of our liberties." ---The Writings of Thomas Jefferson, Bergh, Vol 1, p.181

And throughout their struggle for freedom during the Revolutionary War, the Continental Congress regularly admonished the new nation to fast and pray, as reflected in the following "general order" issued by General Washington:

"The Continental Congress having ordered Friday to be observed as a day of 'fasting, humiliation and prayer, humbly to supplicate the mercy of Almighty God, that it would please him to pardon all our manifold sins and transgressions, and to prosper the arms of the united colonies, and finally, establish the peace and freedom of America upon a solid and lasting foundation'-the General commands all officers and soldiers to pay strict obedience to the orders of the Continental Congress, and by their unfeigned and pious observance of their religious duties, incline the Lord, and Giver of Victory, to prosper our arms."--- Writings of George Washington, General Orders. Fitzpatrick 5:43. (1776.)

At a particularly trying time during the Constitutional Convention of 1787, Benjamin Franklin pled with the delegates to seek God's will through prayer as they deliberated the momentous decisions they were making. He said, "...if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?"

James Madison saw and documented God's hand in the vicissitudes and trials experienced during the formulation of the Constitution of the United States during the Constitutional Convention of 1787. In **Federalist Number 37**, James Madison spoke of the challenges faced and overcome during the Constitutional Convention of 1787:

"The real wonder is that so many difficulties should have been surmounted, and surmounted with a unanimity almost as unprecedented as it must have been unexpected. It is impossible for any man of candor to reflect on this circumstance without partaking of the astonishment. It is impossible for the man of pious reflection not to perceive in it a finger of that Almighty hand which has been so frequently and signally extended to our relief in the critical stages of the revolution."

And in his **First Inaugural Address**, George Washington said:

" No people can be bound to acknowledge and adore the invisible hand, which conducts the affairs of men, more than the people of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency."

In the early years of the Nation, the United States Congress sought to foster a recognition of the hand of God in the affairs of the Nation, and to encourage the Nation to give thanks to God for His goodness. At the request of Congress, and in accord with his own inclinations, President George Washington issued the following proclamation:

"Whereas it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor; and

"Whereas both Houses of Congress have, by their joint committee, requested me "to recommend to the people of the United States a day of public thanksgiving and prayer, to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness:"

"Now, therefore, I do recommend and assign Thursday, the 26th day of November next, to be devoted by the people of these States to the service of that great and glorious Being who is the beneficent author of all the good that was, that is, or that will be; that we may then all unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people of this country previous to their becoming a nation; for the signal and manifold mercies and the favorable interpositions of His providence in the course and conclusion of the late war; for the great degree of tranquility, union, and plenty which we have since enjoyed; for the peaceable and rational manner in which we have been enabled to establish constitutions of government for our safety and happiness, and particularly the national one now lately instituted; for the civil and religious liberty with which we are blessed, and the means we have of acquiring and diffusing useful knowledge; and, in general, for all the great and various favors which He has been pleased to confer upon us.

"And also that we may then unite in most humbly offering our prayers and supplications to the great Lord and Ruler of Nations, and beseech Him to pardon our national and other transgressions; to enable us all, whether in public or private stations, to perform our several and relative duties properly and punctually; to render our National Government a blessing to all the people by constantly being a Government of wise, just, and constitutional laws, discreetly and faithfully executed and obeyed; to protect and guide all sovereigns and nations (especially such as have shown kindness to us), and to bless them with good governments, peace, and concord; to promote the knowledge and practice of true religion and virtue, and the increase of science among them and us; and, generally, to grant unto all mankind such a degree of temporal prosperity as He alone knows to be best.

"Given under my hand, at the city of New York, the 3d day of October, A. D. 1789. GO. WASHINGTON."

After 45 years of dedicated, selfless, devoted service, George Washington departed public life. A major portion of his monumental **Farewell Address** was dedicated to the critical role religion and morality was to play in the preservation of the Nation. He said in part:

"Of all the dispositions and habits, which lead to political prosperity, Religion, and Morality are indispensable supports.-In vain would that man claim the tribute of Patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of Men and Citizens."

For Americans in the early twenty first Century, understanding the proper relationship between God and Government is critical because the proper role of government is based on the relationship between God and Government. The second sentence in the [Declaration of Independence](#) expresses this relationship.

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.

Thus we see that God gives man rights and the purpose for having government to protect or secure those God given rights. Therefore, to remove God from government is to remove Government's proper purpose. We have show that the place that God held within this Nation, and in the hearts of the people from the outset, is one critically important truth that many modern Americans misunderstand.

Another widely misunderstood truth now days is the proper way to interpret the Constitution. Many detractors of the sound doctrine found within the United States Constitution claim that the words therein mean whatever those detractors wish them to mean—in order to construe a meaning which fosters their un-American agenda. If it is true that the words within the Constitution may be twisted into any perverse meaning, then the United States is left without a Constitution (for such a position implies that the words mean nothing at all). Fortunately, words do have meanings, and those meanings may be known if we are willing to seek them out.

James Wilson, a leading participant in the Constitutional Convention of 1787, and who later became a United States Supreme Court Justice, said that, "[The first and governing maxim in the interpretation of a statute is to discover the meaning of those who made it.](#)" Supreme Court Chief Justice John Marshall, who participated in the [Virginia Constitutional Ratification Convention](#), noted, in speaking to that body, that if a word was understood in a particular way when the Constitution was framed, the Constitutional Convention "[must have used it in that sense.](#)"

As he assumed the office of President of the United States, Thomas Jefferson confirmed the importance of keeping the Constitution within the bounds of "original intent," saying:

"The Constitution on which our Union rests shall be administered by me according to the safe and honest meaning contemplated by the plain understanding of the people of the United States at the time of its adoption—a meaning to be found in the explanations of those who advocated, not those who opposed it....These explanations are preserved in the publications of the time."—[The Writings of Thomas Jefferson, Bergh 10:248. \(1801.\)](#)

We have show that the correct way to interpret the constitution is according to original intent. This is a critically important truth.

Another critically important truth that nowadays is widely misunderstood is the obligatory nature of the Constitution. Most current office holders ether pay no attention to the Constitution at all or they distort it in ever more noval ways. Since when are people required to take an oath to do something that is merely optional?

[Article II Section 1 of the United States Constitution](#) requires the President of the United States to take a specific oath as he assumes that office:

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

(United States Constitution Article II, Section 1)

Article VI clause 3 of the United States Constitution requires other office holders to take an oath to uphold the United States Constitution:

"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..."

An oath is defined in Noah Webster's 1828 dictionary thus:

"A solemn affirmation or declaration, made with an appeal to God for the truth of what is affirmed. The appeal to God in an oath, implies that the person imprecates his vengeance and renounces his favor if the declaration is false, or if the declaration is a promise, the person invokes the vengeance of God if he should fail to fulfill it. A false oath is called perjury."

So office holders are required to take oaths to support the Constitution and oath taking is based on the assumption that God will punish those who break their oaths. How could this requirement for oath taking be included in a constitution that was intended to push God out of Government entirely?

To get Back to the obligatory nature of the Constitution, Article VI declares the Constitution is the "supreme law of the land," and reinforces the requirement that judges are bound by it:

"This Constitution...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 United States Constitution sets the structure of the federal government and delegates power to act in specific areas. It establishes the boundaries within which our national government may act. It does not grant unlimited power to act with unrestricted discretion. The primary purpose of our Constitution is to protect the people in their God-given, unalienable rights.

The value of a written constitution is beyond measure. Words have meaning, and those meanings may be known. They are not open to arbitrary and unilateral reinterpretation or redefinition by those who would modify the constitution to meet their whims. The intended scope of the government was clearly established by those who framed the Constitution. There is an established and constitutional method for modifying the Constitution if it becomes necessary to do so. That process is defined in Article V of the U.S. Constitution.

Article. V.

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 One thousand eight hundred and eight 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.

This approved process for modification or amendment requires among other things that changes must be ratified or approved of by at least three fourths of the states before they become valid as part of the constitution. Until it is modified properly (by the method defined within Article V of the Constitution), the United States Constitution is obligatory upon office holders.

If we allow office holders to ignore or reinterpret the Constitution, sooner or later, changes will be made despite the disapproval of the American people.

The Constitution Party gratefully acknowledges the blessing of our Lord and

Savior Jesus Christ as Creator, Preserver and Ruler of the Universe and of these United States. We hereby appeal to Him for mercy, aid, comfort, guidance and the protection of His Providence as we work to restore and preserve these United States.

This great nation was founded, not by religionists, but by Christians; not on religions but on the Gospel of Jesus Christ. For this very reason peoples of other faiths have been and are afforded asylum, prosperity, and freedom of worship here.

The goal of the Constitution Party is to restore American jurisprudence to its Biblical foundations and to limit the federal government to its Constitutional boundaries.

The Constitution of the United States provides that "no religious test shall ever be required as a qualification to any office or public trust under the United States." The Constitution Party supports the original intent of this language. Therefore, the Constitution Party calls on all those who love liberty and value their inherent rights to join with us in the pursuit of these goals and in the restoration of these founding principles.

The U.S. Constitution established a Republic rooted in Biblical law, administered by representatives who are constitutionally elected by the citizens. In such a Republic all Life, Liberty and Property are protected because law rules.

We affirm the principles of inherent individual rights upon which these United States of America were founded:

- That each individual is endowed by his Creator with certain unalienable rights; that among these are the rights to life, liberty, property and the pursuit of happiness;

- That the freedom to own, use, exchange, control, protect, and freely dispose of property is a natural, necessary and inseparable extension of the individual's unalienable rights;
- That the legitimate function of government is to secure these rights through the preservation of domestic tranquility, the maintenance of a strong national defense, and the promotion of equal justice for all;
- That history makes clear that left unchecked, it is the nature of government to usurp the liberty of its citizens and eventually become a major violator of the people's rights; and
- That, therefore, it is essential to bind government with the chains of the Constitution and carefully divide and jealously limit government powers to those assigned by the consent of the governed.

To be oriented is to understand which direction is which. When a person thinks that north is south, that person is disoriented. Many more Americans would move toward greater freedom if they knew what direction that is. The objective of the category of orienting principles is to restore a general understanding of the principles of just and constitutional government as these were thought by our Founding Fathers. The category begins with a plank that defines Constitutionalism, the ideology of our Founding Fathers and of the Modern Constitution party. Other planks explain the proper role of government and the requirements that must be met in order for an exercise of power to be just. The Category ends with an explanation of the difference between a republic and a democracy.

Recall that last time we presented an overview of Constitutionalism, the ideology of our Founding Fathers, with two parts: the goal and how we can best progress toward that goal.

Here is the goal.

Natural or moral rights come from God. Good government practices the rule of law and imposes just and fair laws. Just and fair laws, the laws that protect people's God-given rights, are the laws that conform to the will of God.

Here is our means of progressing toward the goal of good government.

Just power comes from the consent of the governed. The people show their consent by ratifying the constitution. Because the constitution must be voted on to ratify it, it must be a specific, written document. The constitution determines the structure and powers of government. The proper way to interpret the constitution is according to original intent. The only valid, acceptable

way to change the constitution is by a ratified amendment. Wise people choose the structure and powers of governments to MINIMIZE the risk of abuse of power. There is no way ANY constitution can ELIMINATE the risk of abuse of power. Therefore there is always a need for righteous, well informed citizens to hold public officials accountable for their conduct in office. In general, only citizens who sincerely expect to answer to God one day for their conduct as citizens will consistently guard their own and each other's God given rights. Laws govern the people while the constitution governs the government.

The constitution is a means to an end, not the end itself, but it is at the heart of all efforts to govern wisely and fairly.

Constitutionalists are very concerned about usurpations and abuses power. All of the following requirements must be met for an exercise of power to be just.

- 1) The exercise must be within the proper role of government.
- 2) The power must derive from the consent of the Governed.
- 3) The power must be exercised in accordance with the rule of law.

The Proper Role of Government

In 1776, Thomas Jefferson penned the immortal words of the *Declaration of Independence*. That document succinctly captures the essence of the American understanding of the proper role of government, and the foundation of liberty upon which the American experience is based:

"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..." (*The Declaration of Independence*)

It must be noted that many today falsely assume that rights come from government. There are many dangers associated with such an assumption, among which is the fact that, if such is the case, the "creation" of a right by government also creates an obligation of someone to fulfill that right—thus forcing other individuals in society to give something up to meet the new "entitlement" of another individual or group. In addition, the concept that government holds the power to create rights has a dangerous corollary: such a government therefore is bestowed with the general power to destroy or withhold rights.

The Founder's correct position was that all mankind are equal before the law and God. God is the grantor of our rights. Proper government is created to protect and secure those God-given rights. The *Declaration of Independence* continues in explanation of the controls which must exist over government to assure that it remains the protector of God-given rights, and does not become the source of oppression:

"...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."(*The Declaration of Independence*)

In the body of the *Declaration*, and in justification of the *Declaration*, Jefferson proceeded to enumerate the tyrannical offenses committed by the King.

In 1787, with this faith-based recognition of the source of rights, this succinct definition of the purpose of government, and the experience-based understanding that government must be limited to specific powers if the Nation was to remain free, the Founding Fathers created *The United States Constitution*.

The Founders considered the *Constitution* to be a written, binding contract upon all who were to hold office within the Nation. They were so serious in this regard that they require ALL who hold office in this Nation to take an oath to uphold, support, and sustain *The United States Constitution*:

"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 President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.'" (Presidential Oath of Office, *U.S. Constitution Article II Section 1*)

"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..." (*U.S. Constitution, Article VI, clause 3*)

The Founding Fathers of this Nation clearly understood that, over time, the necessity to modify the *Constitution* would likely arise. Consequently, they incorporated into the *Constitution* a process by which the *Constitution* could be changed. This process is defined in *Article V* of the *Constitution*. It was purposefully designed as a very deliberative process which would reduce the chance that the *Constitution* would be modified for "light and transient Causes." (see *Declaration of Independence*)

In his monumental *Farewell Address*, George Washington left us wise counsel in regards to faithfully following the *Constitution*, and obedience to the plain English words of that timeless document:

"This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government." (Washington's Farewell Address, September 17, 1796. *Messages and Papers of the Presidents*, George Washington, Vol 1, Pg.205-216)

The Constitution of the United States is noted as being "sacredly obligatory upon all" until it is "changed by an explicit and authentic act of the whole people." That act may only be carried out by the fulfillment of the process defined in *Article V* of the *United States Constitution*. Any attempt to change by any other method is usurpation.

And the scope of power granted to the National government was clearly understood to be limited to the specific powers granted, and no others. James Madison, the "Father of the Constitution," as well as virtually all of the others we call Founding Fathers, made many unequivocal statements in support of that position:

"The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State." (James Madison, *Federalist No. 45*)

In addressing a proposal before Congress to expand the powers of the government beyond the powers specifically delegated within the *Constitution*, Madison made the following observations:

"I, sir, have always conceived—I believe those who proposed the Constitution conceived—it is still more fully known, and more material to observe, that those who ratified the Constitution conceived—that this is not an indefinite government, deriving its powers from the general terms prefixed to the specified powers—but a limited government, tied down to the specified powers, which explain and define the general terms....

"The language held in various discussions of this house is a proof that the doctrine [of implied powers] in question was never entertained by this body. Arguments, wherever the subject would permit, have constantly been drawn from the peculiar nature of this government, as limited to certain enumerated powers, instead of extending, like other governments, to all cases not particularly excepted....

"In short, sir, without going farther into the subject, which I should not have here touched at all but for the reasons already mentioned, I venture to declare it as my opinion, that, were the power of Congress to be established in the latitude contended for, it would subvert the very foundations, and transmute the very nature of the limited government established by the people of America; and what inferences might be drawn, or what consequences ensue,

from such a step, it is incumbent on us all to consider." (James Madison, Speech on the U.S. House floor, 07 February 1792. Quote in: Jonathan Elliot, *Debates on the Adoption of the Federal Constitution*, Vol. 4, p.428-429)

And the Ninth and Tenth Amendments made this position the sure and unquestionable "law of the land:"

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." (Amendment IX)

"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." (Amendment X)

The government of the United States was created as a limited government, whose powers were confined to the specific powers granted within the *Constitution*; and the purpose of the government created by the Founders was to secure the blessings of liberty and mankind's God-ordained rights both for themselves, AND their posterity. To stray beyond the bounds established in this great Charter of the Nation is to invite tyranny to destroy these blessings.

The Consent Of the Governed.

Alexander Hamilton was an aid to General George Washington during the War for Independence and then a delegate to the Constitutional Convention from New York. Hamilton had this to say about the source of just power.

FEDERALIST No. 22

HAMILTON

...

The fabric of American empire ought to rest on the solid basis of THE CONSENT OF THE PEOPLE. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority.

From this quote, written over a decade after the Declaration of Independence, we see that Hamilton agreed with what the Declaration itself states about the source of just power. The most famous sentence in the Declaration reads as follows.

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.

http://www.archives.gov/national-archives-experience/charters/declaration_transcript.html

In this quote, notice that their creator endows (or gives) people rights and that among the rights thus given are life, liberty and the pursuit of happiness.

Governments are instituted among us to secure our God give rights. Regrettably, people sometimes want to violate the rights of others.

Government uses force or POWER to restrain violators. POWER always involves two parties each of which could be a person or a group of people. One person or group imposes their own will on the other person or group. When Sam forces or compels George to do as Sam wishes rather than as George wishes, Sam is exercising POWER over George. Furthermore, when Sam prohibits George from doing what George wishes, Sam is exercising POWER over George. POWER forces, compels, coerces or imposes by depriving a person of a God given right, or threatening to do so.

According to the quotation from the Declaration cited above, just power comes from the consent of the governed. The governed collectively consent to give the government power, then the government uses that power on persons individually. When a vote is taken, it is not necessary that each and every person agree with the decision of the group. If enough people vote for something, the group has consented, regardless of the opposition of dissenting members.

If we are to have government by the consent of the governed as a practical reality, there is no way that anything can become part of the Constitution without a formal ratification vote. Properly speaking, a constitution is a written, ratified document and it can be changed only by another written, ratified document, a constitutional amendment.

This ratified document, called the constitution, establishes not only the structure of government but also the powers of each branch. It is unconstitutional for any branch or for the government as a whole to exercise powers beyond what the constitution allots to it.

What is the practical difference between not having a constitution at all and having a living document, a constitution that officials can reinterpret whenever they want and have it mean whatever they want? Of course the real answer is that a constitution whose meaning changes from day to day to suit the pleasure of office holders will never stop those office holders from doing whatever they want. Practically speaking, this is the same as not having a constitution at all.

The core principle of constitutional government is that just power comes from the consent of the governed.

We discussed the meaning of the word power and how power can come from the consent of the governed. Power is one person or group imposing its own will on another person or group. When a vote is taken, if enough people are in favor, the group has consented regardless of the opposition of dissenting members. So the governed can consent collectively to have power exercised on them individually. When an amendment to the constitution is proposed and the people approve it, the new amended version of the constitution clearly has the consent of the governed. On the other hand, an amendment could be proposed and then the general public might reject it. In that situation, the public could change the constitution but decided not to. That renews consent for the constitution as is.

If the people consent to a constitution originally but that constitution does not have a workable amendment process, then when the general public later changes its mind, it will not be able to change the Constitution to fit its new preference. Such a constitution would truly have the consent of the governed originally but eventually it would lose that consent.

In the Declaration of Independence, our founding fathers stated that just power comes from the consent of the governed. In the Constitution they acted on this principle. Let's examine the process in the Constitution for original ratification.

Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this

Constitution between the States so ratifying the Same.

Now that we have learned how the constitution was originally ratified. Lets see if the constitution has a workable amendment process.

Article. V.

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....

This process, not only allows three quarters of the states to amend the constitution, it also provides an alternative to ratification of amendments by state legislatures. The alternative of having ratifying conventions could be very valuable if some change were desired by the people but opposed by state legislatures. To date, all amendments have been ratified by state legislatures, but the alternative of ratification by conventions in three fourths of the states is available if we ever need it.

If just power comes only from the consent of the people and the people manifest their consent by ratifying the Constitution and its amendments, then it follows that any government official who exercises a power not granted to him in the constitution is exercising an unjust power.

The Rule of Law

During the centuries that preceded the American War for independence, wise people realized, that Instead of having a king or other person as their ruler, people could have the law of the land as their ruler. The law of the land is a standard of conduct enforced by Earthly government. A ruler rewards those who obey or punishes those that don't. Therefore the rule of law means that a standard of conduct rewards those that obey or punishes those that don't. Dispensing justice was no longer the role of a person. Rather it became the role of a system.

When a citizen obeys the law, he gets the reward (typically no interference from the police). When the citizen breaks the law, he gets punished. The law will treat him the same way every time so the behavior of the government is predicable. People can make their plans and rely on getting the expected reaction from the government.

Under the rule of law, the prosecution must prove two things in order to justify punishing the accused.

- 1) The accused really did do what he is excused of.
- 2) What he is accused of really is illegal.

Each person has God given RIGHTS such as life, liberty and property. POWER forces, compels, coerces, or imposes by depriving a person of a God given right or threatening to do so. To promote the rule of law, powers must be separated. Separation of powers splits government into three distinct branches. The legislative branch makes the law. Once the law has been made, the Executive branch enforces it. Once a person has been accused of breaking the law, the judicial branch gives the accused a fair trial.

Article one of the U S Constitution discusses the Legislative Branch.

Article. I.

Section. 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Note that the Constitution does not grant Congress some legislative powers, the president some, the courts some and international organizations the rest. Rather, all powers to make federal law that are granted to anyone are granted to Congress.

Article 1 Section 9 contains some restrictions on the powers of Congress. Two of these restrictions relate to the rule of law.

Article. I. Section. 9.

...

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.

...

A writ is a court order. Corpus means body in Latin. A writ of Habeas Corpus is a court order that a judge issues to demand that a detained person (a still living body) be brought before him. The detainee is released if the law enforcers do not demonstrate that they have a valid reason to continue holding him. Even if they do convince the judge they have a valid reason to hold the detainee, the judge still sets a trial date. A writ of Habeas Corpus is the entry point into the judicial system, the first step on the road to a fair trial.

Suspending writs of Habeas Corpus means allowing government agents to postpone their compliance with such court orders. Note that there are only two situations in which the Constitution allows Congress can pass legislation that suspends writs of habeas corpus.

Article. I. Section. 9.

...

No Bill of Attainder or ex post facto Law shall be passed.

...

Post means after in Latin. Facto means what it sounds like it means, fact. An ex post facto or after the fact law makes something illegal after it has already been done and applies the prohibition retroactively. If ex post facto laws were allowed, people could be punished for doing things that were legal when they did them but became illegal later on.

A bill of attainder is a law, passed by a legislature that declares a particular person guilty of wrong doing and sets his punishment.

Article two of the U S Constitution discusses the Executive Branch.

Article. II.

Section. 1. Clause 1

The executive Power shall be vested in a President of the United States of America....

Now let's see what the President is supposed to do.

Article. II.

Section. 3.

... he shall take Care that the Laws be faithfully executed

In Article two, we have seen that the President has the executive power and is responsible for the execution of the laws of the United States.

Article three of the U S Constitution discusses the Judicial Branch..

Article III.

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...

When there are too many cases for one court to hear them all, Congress should establish more courts under the supreme court.

Article III.

Section. 2. Clause 3

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.

This clause protects the accused from having to travel a ridiculous distance to get his trial and it guarantees the accused the right to a jury trial.

The Federalist Papers were written during the debate over ratification of the Constitution and they were intended to persuade the People of New York to approve the Constitution. The following Federalist quotes were written either by James Madison of Virginia, the one called the father of the Constitution or by Alexander Hamilton, an aid to General George Washington during the War for Independence and later a delegate to the Constitutional Convention from New York. All words printed in Capital Letters were thus emphasized in the Federalist.

FEDERALIST No. 47

MADISON

The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, selfappointed, or elective, may justly be pronounced the very definition of tyranny.

Note in the quote above, that according to Madison, government can consist of elected officers and still be tyrannical. Separation of powers is so important that if our government does not truly practice it, our government is tyrannical.

The next quotes include at the beginning, the phrase or sentence that the author provided as a summary of the whole paper. Whereas we nowadays typically say Legislative BRANCH, Executive BRANCH and Judicial BRANCH, our founding fathers typically wrote Legislative DEPARTMENT, Executive DEPARTMENT, and Judiciary DEPARTMENT as we shall see in the following quotations.

Let's learn more about the true concept of separation of powers. A man named Montesquieu wrote a very influential book called The Spirit of the Laws. In Federalist 47, after discussing some of Montesquieu's observations regarding Separation of Powers, James Madison reaches the following conclusion.

FEDERALIST No. 47

The Particular Structure of the New Government and the
Distribution of Power Among Its Different Parts
From the New York Packet. Friday, February 1, 1788.

MADISON

From
these facts, by which Montesquieu was guided, it may clearly be
inferred that, in saying ``There can be no liberty where the
legislative and executive powers are united in the same person,
or body of magistrates,' ' or, ``if the power of judging be not
separated from the legislative and executive powers,' ' he did not
mean that these departments ought to have no PARTIAL AGENCY in,
or no CONTROL over, the acts of each other. His meaning ... can
amount to no more than this, that
where the WHOLE power of one department is exercised by the same
hands which possess the WHOLE power of another department, the
fundamental principles of a free constitution are subverted.

So the true principle of separation of powers does not require total
separation. Madison continues his discussion of the teachings of
Montesquieu. Notice that Montesquieu uses the word "subject" to refer
to a person who is subject to the authority of a government.

FEDERALIST No. 47

The Particular Structure of the New Government and the
Distribution of Power Among Its Different Parts
From the New York Packet. Friday, February 1, 1788.

MADISON

The reasons on which
Montesquieu grounds his maxim are a further demonstration of his
meaning. ``When the legislative and executive powers are united
in the same person or body,' ' says he, ``there can be no liberty,
because apprehensions may arise lest THE SAME monarch or senate
should ENACT tyrannical laws to EXECUTE them in a tyrannical
manner. ' ' Again: ``Were the power of judging joined with the
legislative, the life and liberty of the subject would be exposed
to arbitrary control

We seek to learn what sort of barrier we need between the departments
to keep powers separated.

FEDERALIST No. 51

The Structure of the Government Must Furnish the Proper Checks

and Balances Between the Different Departments
From the New York Packet. Friday, February 8, 1788.

HAMILTON OR MADISON

To the People of the State of New York:
TO WHAT expedient, then, shall we finally resort, for maintaining
in practice the necessary partition of power among the several
departments, as laid down in the Constitution?

Based on the summery sentence the author provides for Federalist 51,
what answer do you think he provides to his own question?

It is quite a revelation that checks and balances are in the Constitution primarily to preserve the separation of powers. So, we have learned that Checks and balances preserve the separation of Powers. If our government does not uphold the separation of powers in practice, then our government is tyrannical. And finally, we have learned that Separation of Powers promotes the rule of Law.

The Constitutional Separation of Powers

The desire to obtain, and then, ultimately, to abuse power, has been almost universally recognized by thinking men throughout the ages. The great statesman Lord Acton observed that "power corrupts, and absolute power corrupts absolutely." (Lord Acton, letter to Mandell Creighton, April 5, 1887.—*Acton, Essays on Freedom and Power* ed. Gertrude Himmelfarb, pp. 335-36 [1972]) Daniel Defoe noted: "All men would be tyrants if they could." (Daniel Defoe, *The Kentish Petition*, addenda, 11 [1701])

While the aforementioned men were not contemporary with the founders of this Nation, the men who framed this nation's government recognized this—had experienced this—and sought to control this almost universal tendency to seek, obtain, and then abuse power. Consequently, as they established this nation's new government, in which liberty was to reign, they sought diligently to limit power to specific purposes, and to then divide and subdivide the granted power to prevent its accrual or consolidation into a focal point.

Thomas Jefferson said: "In questions of power then let no more be heard of confidence in man; but bind him down from mischief by the chains of the Constitution." (Thomas Jefferson, *The Writings of Thomas Jefferson*, Kentucky Resolutions. Bergh 17:388. [1798])

James Madison suggested the means to prevent this universal tendency to abuse power, saying:

"But the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature that such devices should be necessary to control the abuses of government, But what is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary." (Federalist No. 51)

Madison also observed:

"The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."(Federalist No. 47)

Unfortunately, modern Congresses have blatantly disregarded their responsibility in the matter of powers delegated solely to them, lacking the courage to fulfill their constitutionally-mandated duty in this regard. They have failed in the natural tendency to jealously guard their sphere of influence. Dereliction of duty is the kindest definition which could be attached to the posture of Congress in this regard. Over the past several decades, Congress has made flimsy excuses as they have mumbled nonsense about "delegating" their authority in various issues (such as matters pertaining to war or international trade) to the President, or to international bodies; or blaming their impotence upon "treaties" which tie their hands and require (through entangling alliances) the United States to perform certain "obligations."

Constitutional protocol was well understood by those who founded this nation, and they knew that the authority which was assigned in the *Constitution* could not legally be delegated to another entity (foreign or domestic). The founders had diligently studied the works of John Locke. John Locke was emphatic in the matter of delegating constitutionally-mandated authority:

"The legislative cannot transfer the power of making laws to any other hands, for it being but a delegated power from the people, they who have it cannot pass it over to others. The people alone can appoint the form of the commonwealth, which is by constituting the legislative, and appointing in whose hands that shall be. And when the people have said, 'We will submit and be governed by laws made by such men, and in such forms,' nobody else can say other men shall make laws for them; nor can they be bound by any laws but such as are enacted by those whom they have chosen and authorized to make laws for them." (John Locke, *Second Essay Concerning Civil Government*)

St. George Tucker, one of the preeminent constitutional scholars of the American founding era agreed with that position, stating:

. . . a delegated authority cannot be transferred to another to exercise. (Tucker, *View of the Constitution of the United States* Pg. 219 [1803])

For many years now, the nation has strayed from these sound principles. The carefully devised plan of the founders of this Nation regarding the separation of powers is almost universally ignored. Those who hold a given constitutional power routinely allow others to encroach upon their authority, and then reciprocate by usurping power not delegated to them. The price of such action is yet to be fully realized. If the liberties which were bequeathed to the nation are to be saved, we must immediately restore the foundation upon which the nation was established and built. Congress must again assume its duty in the matters delegated to them, and wrest again their rightful power from the hands, both foreign and domestic, which have usurped the congressional *Constitutional* responsibility.

Republican Form of Government

At the close of the Constitutional Convention on September 17, 1787, as Benjamin Franklin left the hall in Philadelphia, he was asked, "What kind of government have you given us, Dr. Franklin?" He replied: "A republic, if you can keep it." (Papers of Dr. James McHenry on the Federal Convention of 1787, in Charles C. Tansill, comp. *Documents Illustrative of the Formation of the Union of the American States* [Washington: U.S. Printing Office, 1927], page 952.)

It is noteworthy that **Article 4, Section 4** of the *United States Constitution* specifies that every State in the United States was to have a Republican form of government: "**The United States shall guarantee to every State in this Union a Republican Form of Government...**"

As the Constitutional Convention convened in 1787, the perspective and intention of a limited, non-democratic government was held from the very beginning of their discussions. On 31 May 1787, Edmund Randolph told his

fellow delegates that the purpose of the Convention was "...to provide a cure for the evils under which the United States labored; that in tracing these evils to their origin, every man had found it in the turbulence and follies of democracy...." (James Madison, *Journal of the Federal Convention*, Vol.1, p.81)

In his defense of the outcome of the Convention of 1787, James Madison, the "Father of the Constitution," eloquently expressed the fundamental concerns about democracy and the protections of a republic:

"Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths..."

"A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect and promises the cure for which we are seeking. (*The Federalist* No. 10)

Many other powerful statements regarding the dangers of democracy and the virtues of republics are noted throughout the *Federalist Papers*.

Wise philosophers and statesmen from early history recognized the dangers inherent in democracy, and warned society. American founding father, John Adams, understood well the shortcomings of democracy:

"Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide." (John Adams, letter to John Taylor, April 15, 1814.—*The Works of John Adams*, ed. Charles Francis Adams, vol. 6, p. 484 [1851])

During the founding era of America, historian Alexander Tyler is said to have explained at least part of the reason why a democracy tends to destroy itself:

"A democracy cannot exist as a permanent form of government. It can only exist until [a majority of] the voters discover they can vote themselves largesse [gifts] from the public treasury. From that moment on the majority always votes for the candidate promising the most benefits from the public treasury, with the result that a democracy always collapses over loose fiscal policy [taxing and spending], always followed by a dictatorship. The average life of the world's greatest civilizations has been two hundred years." (Quoted in Laurel Hicks et al., *American Government and Economics* [Pensacola, Fla.: Becka Book Publication, 1984], p. 37)

Alexander Hamilton also raised his voice in warning against democracy:

"It has been observed, by an honorable gentleman, that a pure democracy, if it were practicable, would be the most perfect government. Experience has proved that no position in politics is more false than this. The ancient democracies, in which the people themselves deliberated, never possessed one feature of good government. Their very character was tyranny; their figure, deformity." (Alexander Hamilton, Jonathan Elliot, *Debates on the Adoption of the Federal Constitution*, Vol. 2, p.253)

It is interesting to contrast the words of the American founders to those scurrilous leaders of the communist movement:

Karl Marx sought to foster democracy to promote the philosophies he wrote of in *The Communist Manifesto*. Democracy was seen by Marx as progress towards full blown communism:

"We have seen above that the first step in the revolution by the working class is to raise the proletariat to the position of ruling class, to win the battle of democracy."

Lenin, the communist revolutionary who enslaved Russia, recognized democracy as a tool for his purposes, writing:

"...just as socialism cannot be victorious unless it introduces complete democracy, so the proletariat will be unable to prepare for victory over the bourgeoisie unless it wages a many-sided, consistent and revolutionary struggle for democracy." (V. I. Lenin, *The Socialist Revolution and the Right of Nations to Self Determination* (Theses), Editorial Board of Social-Democrat, Central Organ of the R.S.D.L.P., Published in German in April 1916 in *Vorbote*, No. 2 Published in Russian in October 1916 in *Sbornik Sotsial-Demokrata*, No. 1 Printed according to the *Sbornik* text. Written in January-February 1916)

In 1938 and 1939, the future communist dictator of Mainland China, Mao Tse-tung, following the lead of Karl Marx and Lenin, explained:

"Education in democracy must be carried on within the Party so that members can understand the meaning of democratic life, the meaning of the relationship between democracy and centralism, and the way in which democratic centralism should be put into practice." (Mao Tse-tung, *The Role of the Chinese Communist Party in the National War* [October 1938], *Selected Works*, Vol. II, p. 205.)

"Taken as a whole, the Chinese revolutionary movement led by the Communist Party embraces the two stages, i.e., the democratic and the socialist revolutions, which are two essentially different revolutionary processes, and the second process can be carried through only after the first has been completed. The democratic revolution is the necessary preparation for the socialist revolution, and the socialist revolution is the inevitable sequel to the democratic revolution." (Mao Tse-tung, *The Chinese Revolution and the Chinese Communist Party* [December 1939], *Selected Works*, Vol. II, pp. 330-31)

From the perspective of those who seek to subjugate humanity under their bloody yoke, implementing democracy is a necessary preliminary step.

Tragically, early in the 20th Century, United States President Woodrow Wilson and his "alter ego" Edwin Mandell House (founder of the Council on Foreign Relations—CFR) popularized the concept of democracy as the American political form of government, and its value for the entire world ("We must make the world safe for democracy"). Since that time, there has been an unremitting effort on the part of the socialist-globalist cabal to universalize the false philosophy that the United States of America was established originally as a democracy, and that that form of government continues to be the ideal of this nation, as well as the goal of all nations which would be free.

Today the term "democracy" is used almost exclusively as a term to describe the form of government which its promoters would say governs the United States. While this is a totally false concept, it has been made almost universally accepted as true. Presidents, governors, senators, congressmen, media moguls, teachers, etc. embrace and promote democracy as America's form of government. Indeed, based upon the ubiquitous and universal nature of the effort, it would seem appropriate to term the movement to redefine the Nation as a democracy an organized "campaign." Because of this, it is critically important to remind ourselves that the United States is a republic. It was created as a republic by well-thought, purposeful action. It was specifically **NOT** created as a democracy.

In a republic, the elected representatives create legislation within the limited framework established by the Nation's charter, *The United States Constitution*. The founders saw many dangers inherent in a democracy, and they rejected it as a dangerous form of government, prone to a kind of "mob rule" mentality. They unequivocally established a republic, placing limits upon the power of the legislature by which they could create law, thus seeking to prevent tyranny.

Social Issues

The issues in this category are mainly the issues most affected by the problem of judicial activism. For decades now, federal judges have reinterpreted the Constitution to allow themselves to make the law of the land on social issues. Activist judges routinely create bogus new rights and striped the State governments of the powers reserved to them by the tenth amendment to the Constitution. The result has been rampant immorality throughout the nation. A judge who pretends to have the authority to change the Constitution without the consent of the American people is exercising power without the consent of the governed. Since the consent of the governed is required for an exercise of power to be just, a judicial activist exercises unjust power. Furthermore, since a judge who makes law from the bench is exercising legislative as well as judicial power, he is not respecting the principle of separation of powers. The planks in this category, first address how the Constitution Party will restrain activist judges and then reassert the true moral principles that these rogue judges have lead us away from.

The Judiciary

The United States Constitution defines the scope and purpose of the judicial system it created. As with all other aspects of the government the founders of this Nation framed, there were "checks and balances" established to assure that the court system did not usurp power and destroy the liberty of the Nation.

Article I, Section 8, clause 9 states:

"Congress shall have power... To constitute Tribunals inferior to the supreme Court;..."

Article III of the Constitution creates "one supreme Court," and reiterates that Congress has the authority to create lower courts, saying:

"...such inferior Courts as the Congress may from time to time ordain and establish." (Article III, Section I, clause 1)

In recent modern times, the Executive Branch has ignored the constitutional stipulation that only Congress may create courts or "tribunals," and claimed to establish courts for various purposes. No authority is granted within the Constitution for such action, and Congress is remiss if it fails to aggressively act within its constitutional prerogative to preempt such usurpation.

Article III of the Constitution defines the scope and power of the United States supreme Court, noting specific cases in which the Court has "original jurisdiction." Within the scope specifically defined within the Constitution, the supreme Court can not be denied authority to act. However, the authors of the United States Constitution placed "checks and balances" within the Constitution on the Court. Certainly Article III, Section 2 Clause 2 of the United States Constitution defines a "check and balance" which was created to prevent the court system from usurping power. It states specifically:

"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."

Regardless of opinions to the contrary, the United States Constitution actually states: "...with such Exceptions, and under such Regulations as the Congress shall make." We often speak of the "checks and balances" that were so wisely written into the document to prevent power from being consolidated into tyranny, but almost no one recognizes this "check" which may be exercised to balance against a usurping court.

And, of course, as previously noted, the Constitution delegates to the Congress authority over the existence of all federal courts inferior to the Supreme Court (see Article I Section 8 clause 9 and Article III Section 1). While Article III Section 2 of the United States Constitution delegates specific authority for Supreme Court involvement in certain specified instances, it seems certain that in cases not specifically enumerated within the Constitution that the United States Congress has the authority to rein in the rogue court system which currently exists by simple majority vote in both the House and Senate. By exercising this rarely-used authority, the United States Congress could remove specific cases from the purview of the federal court system if the federal court system began to usurp authority in those cases.

An example of how this could be accomplished is found in the 1868 *Ex parte McCordle* case, which was taken to the Supreme Court by an individual seeking relief from an onerous act of Congress (but which act Congress had, under authority of Article III Section 2 clause 2, prohibited from being reviewed by the Supreme Court). Following is the relevant excerpt from the declaration the Supreme Court made when McCordle sought to bring the case to them for redress:

"We are not at liberty to inquire into the motives of the legislature. We can only examine into its power under the Constitution; and the power to make exceptions to the appellate jurisdiction of this court is given by express words.... It is quite clear, therefore, that this court cannot proceed to pronounce judgment in this case, for it has no longer jurisdiction of the appeal; and judicial duty is not less fitly performed by declining ungranted jurisdiction than in exercising firmly that which the Constitution and the laws confer."

The irony is that this unanimous 1868 Supreme Court decision is a good decision upholding a perfectly repellent act of Congress.

While this approach has been rarely used, and some would deny that the authority of Congress to act in such a manner is granted within the Constitution, it is there for all to read, and only awaits a courageous Congress to act upon it.

And in spite of contrary opinions, not only has Article III, Section 2, clause 2 been successfully applied in the past by the United States Congress, it may easily be applied today if Congress could be brought to exercise it by the outcry of an informed electorate. Following is a generically-worded resolution which could be used as a template suggesting how such an act may be worded in the required instances.

Possible Wording of Congressional Act Which Would Remove Cases From the Jurisdiction of Federal Courts:

"The appellate jurisdiction of the Supreme Court and the jurisdictions of the inferior federal courts shall not extend to hearing or determining the power of a state to (Insert the issue or subject which is to be prevented from being reviewed by the federal court system—such as same-sex marriage, abortion, flag burning, educational issues, etc., etc.). Such jurisdictions shall not extend to hearing nor determining the refusal of any state to give full faith and credit to any act regarding (Insert issue or subject) under the law of any other state."

This approach applies the U.S. Constitution "in the tradition of the Founding Fathers." It recognizes and applies the Congressional authority over the courts as allowed and found in Article I Section 8 clause 9, Article III Section 2 clause 2, and Article IV Section 1.

No "Full Faith and Credit" complaints could be taken to the federal courts, and the power to encroach into these matters would be kept out of the hands of the federal government. Each State would be responsible within their own realm before God for their actions.

The United States Constitution does not provide for lifetime appointment of federal judges, but only for a term of office during good behavior. We support Congressional enforcement of the Constitutional rule of good behavior and to restrain judicial activism by properly removing offending judges through the process of impeachment provided for in Article I, § 2 and 3 of the Constitution. Furthermore, Congress must exert the power it possesses to prohibit all federal courts from hearing cases which Congress deems to be outside federal jurisdiction pursuant to Article III, § 2 of the Constitution.

We particularly support all the legislation which would remove from Federal appellate review jurisdiction matters involving acknowledgement of God as the sovereign source of law, liberty, or government.

We commend Former Chief Justice Roy Moore of the Alabama Supreme Court for his defense of the display of the Ten Commandments, and condemn those who persecuted him and removed him from office for his morally and legally just stand.

We deny the validity of judicial rulings that use foreign court rulings to overturn U.S. precedent.

The Bill of Rights includes the first ten amendments to the Constitution. All these amendments were properly ratified and are therefore valid to all intents and purposes as part of the constitution. They restrain the federal government from violating the rights of Americans. The Bill of Rights is not a list of suggestions that the government can legitimately ignore when they seem too confining. Rather the Bill of Rights is a list of obligatory prohibitions. The Constitution Party tolerates neither exceptions nor excuses as the following planks demonstrate.

Gun Control

The United States Constitution Second Amendment states:

" 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."

Without exception, those we refer to as the "Founding Fathers" of this Nation studied Blackstone's *Commentaries* prior to the Revolutionary War. Therein Blackstone notes the right of self defense as one of mankind's unalienable rights:

"[Self-defense is] justly called the primary law of nature, so it is not, neither can it be in fact, taken away by the laws of society." (Sir William Blackstone, *Commentaries on the Laws of England*, [1765-1769])

In keeping with that wisdom, the Second Amendment was included in this Nation's Bill of Rights to assure the future protection of that God-given right.

Notwithstanding the pronouncements of Presidents, Congressmen, Senators, Governors, and the media, the Second Amendment has absolutely nothing to do with hunting, target shooting, plinking (that is, shooting at cans, etc.), collecting guns, or a "life style". While these are often enjoyable and pleasant pastimes for those who participate in them, they are a minor side-benefit to this great God-given inalienable right. The truth of the matter is that the Second Amendment has everything to do with the preservation and protection of life, liberty, and property. It is the last line of defense for the individual, the family and the Nation.

As a result of the efforts of many to "demonize" firearms, and to promote a false conception regarding the original purpose of the Second Amendment, there is an unprecedented effort underway today in our Nation to disarm the people of this Nation. In fact, to find anything anywhere near as premeditated and

so determined on a nation-wide basis, we must go back to before this nation became a nation—we have to go back to 1775 when the King tried to disarm the "upstart" colonists. Most Americans do not realize that the issue of disarming the citizens was the issue that precipitated the ride of Paul Revere, and caused brave men to die at Lexington and Concord. On that fateful April day, the King's officers had dispatched his troops to confiscate the powder and lead (the ammunition) of the colonists. This British attempt to deny the colonists' right to keep and bear arms became a major driving force which rallied Americans throughout the colonies to armed resistance. This fundamental right—the importance of preserving the ability of every American to defend his liberties—became one of the principal arguments of our Founding Fathers for independence.

Because of their personal experience with tyranny, and their understanding of the necessity of arms to prevent or overthrow tyranny, the Founding Fathers of this Nation had a clear, correct and unmistakable view of the subject. When we understand the position of the Founding Father on the individual right to keep and bear arms, we may better understand the reasons this God-given right was included in the Bill of Rights, and why it is imperative that we preserve it today. Due to space considerations, a few statements of the Founders will have to suffice.

To facilitate the ratification of the Constitution, James Madison wrote:

"[The Constitution preserves] the advantage of being armed which Americans possess over the people of almost every other nation...(where) the governments are afraid to trust the people with arms." (James Madison, *The Federalist Papers*, No. 46)

And later, while in Congress, Madison supported the concept of an armed citizenry being necessary to preserve the freedom of the Nation:

"The right of the people to keep and bear ... arms shall not be infringed. A well regulated militia, composed of the body of the people, trained to arms, is the best and most natural defense of a free country ..." (James Madison, *I Annals of Congress* 434, June 8, 1789)

The intent that firearms be available universally was a common subject for comment during the American founding era:

"Whereas, to preserve liberty, it is essential that the whole body of the people always possess arms, and be taught alike, especially when young, how to use them..." (Richard Henry Lee, *The Pennsylvania Gazette*, Feb. 20, 1788.), and

"The great object is, that every man be armed ... Every one who is able may have a gun." (Patrick Henry, Elliot, p.3:386)

As the new Nation was being formed, Thomas Jefferson wrote in support of an armed citizenry:

"No free men shall ever be debarred the use of arms." (Thomas Jefferson, *Proposed Virginia Constitution*, Ford, Vol. 2, pg 27 [1776])

And Samuel Adams, the "Father of the American Revolution" felt it natural for free men to be armed, saying:

"The Constitution shall never be construed...to prevent the people of the United States who are peaceable citizens from keeping their own arms." (Samuel Adams, *Debates and Proceedings in the Convention of the Commonwealth of Massachusetts*, at 86-87 (Pierce & Hale, eds., Boston, 1850)

Noah Webster saw an armed citizenry as essential to preserving liberty, asserting:

"Before a standing army or a tyrannical government can rule, the people must be disarmed; as they are in almost every kingdom in Europe. The supreme power in America cannot enforce unjust laws by the sword; because the whole body of the people are armed, and constitute a force superior to any band of regular (or professional) troops that can be, on any pretense, raised in the United States." (Noah Webster, "An Examination of the Leading Principles of the Federal Constitution." [1787], Paul Leicester Ford, ed. *Pamphlets on the Constitution of the United States* [Chicago, IL: 1888])

Many have observed that the Second Amendment was written to assure that the other nine amendments and the Constitution were preserved in their entirety.

And it is of note that the currently-vogue falsehood that the "militia" mentioned in the Second Amendment referred to the national guard (which was not even created until the 20th Century) may be debunked with many statements by this Nation's founders. One statement which George Mason made in the debate at the ratification convention before the Virginia Assembly must suffice:

"I ask, sir, what is the militia? It is the whole people, except for a few public officials." (George Mason, in *Debates in Virginia Convention on Ratification of the Constitution*, Elliot, Vol. 3, June 16, 1788)

Power to refuse, or to counter abuse of power sometimes becomes necessary. In his review of the United States Constitution and the Bill of Rights, St. George Tucker, one of the preeminent constitutional scholars of America's founding era, touches upon the necessity of the people being armed to insure the ability to ultimately enforce their rights if they are ever violated; and of governments which use the flimsiest or most obtuse rational as excuse for the disarming of the citizenry of the nation. Modern America suffers from this malady as a gullible, disinterested, and apathetic populous which falls for almost every contrived method to remove what Tucker terms the "true palladium [that which affords effectual defense, protection and safety] of liberty."

"This may be considered as the true palladium of liberty. . . The right of self defense is the first law of nature; in most governments it has been the study of rulers to confine this right within the narrowest limits possible. Wherever standing armies are kept up, and the right of the people to keep and bear arms is, under any color or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction. In England, the people have been disarmed, generally, under the specious pretext of preserving the game; a never failing lure to bring over the landed aristocracy to support any measure, under the mask, though calculated for very different purposes. True it is, their bill of rights seems at first view to counteract this policy; but the right of bearing arms is confined to Protestants, and the words suitable to their condition and degree, have been interpreted to authorize the prohibition of keeping a gun or other engine for the destruction of game, to any farmer, or inferior tradesman, or other person not qualified to kill game. So that not one man in five hundred can keep a gun in his house without being subject to a penalty." (St. George Tucker, *View of the Constitution of the United States with Selected Writings* [1803], ed. Clyde N. Wilson [Indianapolis: Liberty Fund, 1999])

The Second Amendment to the United States Constitution unequivocally protects the individual God-given right of all mankind to keep and bear arms to protect their lives, liberty, and property from tyrants and criminals, both foreign and domestic. It is a right that must not be infringed. The right to bear arms is inherent in the right of self defense, defense of the family, and defense against tyranny, conferred on the individual and the community by our Creator to safeguard life, liberty, and property, as well as to help preserve the independence of the nation.

The right to keep and bear arms is guaranteed by the Second Amendment to the Constitution; it may not properly be infringed upon or denied.

The Constitution Party upholds the right of the citizen to keep and bear arms. We oppose attempts to prohibit ownership of guns by law-abiding citizens, and stand against all laws which would require the registration of guns or ammunition.

We emphasize that when guns are outlawed, only outlaws will have them. In such circumstances, the peaceful citizen's protection against the criminal would be seriously jeopardized.

We call for the repeal of all federal firearms legislation, beginning with Federal Firearms Act of 1968.

We call for the rescinding of all executive orders, the prohibition of any future executive orders, and the prohibition of treaty ratification which would in any way limit the right to keep and bear arms.

Our Founding Fathers clearly expected the federal government to defend this nation from any threats that confront us from other nations and their peoples. The following planks demonstrate show what the federal government must do to fulfill this responsibility. These planks also demonstrate what our government must not do with American armed forces.

Immigration

In the years after the great flood associated with Noah, the people shared a common language and were able to bond together in efforts which required great unity. Unfortunately, they waxed extremely wicked, and in a perverse twist of logic they sought to continue their wicked ways and yet avoid the judgments of God. They sought to subvert the will of God by building a great tower by which they could escape another flood if their sins resulted in a repeat of the flood of Noah, and they felt that by their construction of the tower they could somehow reach the heights of heaven without conforming to the will of God.

The record states:

3 And they said one to another, Go to, let us make brick, and burn them thoroughly. And they had brick for stone, and slime had they for mortar.

4 And they said, Go to, let us build us a city and a tower, whose top [may reach] unto heaven; and let us make us a name, lest we be scattered abroad upon the face of the whole earth. (Genesis 11:3-4)

God, in His infinite wisdom, knew exactly what it would take to destroy their efforts: He resolved to destroy their unity. He confounded their common language, giving them a multitude of tongues:

5 ¶ And the LORD came down to see the city and the tower, which the children of men builded.

6 And the LORD said, Behold, the people [is] one, and they have all one language; and this they begin to do: and now nothing will be restrained from them, which they have imagined to do.

7 Go to, let us go down, and there confound their language, that they may not understand one another's speech.

8 So the LORD scattered them abroad from thence upon the face of all the earth: and they left off to build the city.

9 Therefore is the name of it called Babel; because the LORD did there confound the language of all the earth: and from thence did the LORD scatter them abroad upon the face of all the earth. (Genesis 11:5-9)

The results of creating a multitude of languages were natural. In the confusion, the people fragmented into distinct groups that immediately pulled apart.

During His mortal ministry, in His great "Intercessory Prayer," the Savior noted His "oneness" with His Father, and expressed His will that His followers be "one," saying:

11 ¶ And now I am no more in the world, but these are in the world, and I come to thee. Holy Father, keep through thine own name those whom thou hast given me, that they may be one, as we [are].

21 That they all may be one; as thou, Father, [art] in me, and I in thee, that they also may be one in us: that the world may believe that thou hast sent me.

22 And the glory which thou gavest me I have given them; that they may be one, even as we are one... (John 17:11, 21-22)

The necessity of unity in the effort to carry out great works is thus enjoined.

As he bid farewell to the Nation he had served so diligently and selflessly for 45 years, George Washington felt to comment on the "oneness" of the Nation, and the great unity they enjoyed:

"Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts, of common dangers, sufferings, and successes." (Messages and Papers of the Presidents, *Farewell Address*, George Washington, Vol 1, Pg.205-216)

In contrast to the unity of Americans, history is filled with sad and dark examples of diverse groups who are compelled to associate together as nations.

With no consideration for unity, or "oneness," a diverse conglomerate of ethnic groups, tribes, and religious factions were cobbled together by Britain at the end of World War I to form Iraq. Britain sought for decades to compel civilized behavior upon the new "nation" they had created. It cost many thousands of British and Iraqi lives, but has been a dismal failure which now engulfs the blood, treasury, and honor of this Nation.

Africa was likewise divided into illogical "countries" by European powers, and the tragic unremitting saga of warfare and genocide continues today.

The Balkan States (countries in the Southeastern Region of Europe currently including such nations as the old Yugoslavia, Albania, Bosnia, Herzegovina, Bulgaria, Serbia, etc.) had been engaged in unremitting ethnic and religious conflict due to their "diversity" for 600 years prior to the birth of the United States of

America, and their agony continues today with the United States now drawn into their quagmire of ethnic hatred. The diversity-generated hatred, violence, and turmoil associated with these Balkan States has become so universally recognized that the term "Balkanization" has been coined to describe the conditions of hostile fragmentation and division which prevail in various portions of the world.

Unfortunately, the United States is now following a path which will lead to the "Balkanization" of this Nation. We are encouraged to refer to fellow Americans as "hyphenated" Americans, creating divisions among the people. People are encouraged to retain their native tongue, and not even learn the language of their new land. Previous generations who immigrated to this Nation sought most diligently to become "Americans," and were desirous to completely integrate into the American lifestyle. They learned the language of their new nation, they sought to embrace the heritage of liberty enjoyed by all Americans, they upheld the nation's constitutional form of government, and they came to cherish the institutions of their adopted land.

In short, they sought to emulate the previously-noted ideal promoted by both the Savior and George Washington. In contrast, we may observe the sad results of Balkanization upon all peoples who have suffered through it. It is wise counsel indeed to become unified and one if this great Nation is to survive for the blessing of future generations. Wisdom dictates that all who come to this land to become citizens become whole-hearted Americans, with no lingering loyalties (political, or otherwise) to lands they left. Americans, of one heart and one mind, one nation under God, may successfully face all challenges.

As they wrote the United States Constitution, the founders of this nation delegated to the United States Congress the authority to deal with the issue of immigration and naturalization:

"The Congress shall have Power... To establish an uniform Rule of Naturalization..."
(*The United States Constitution, Article I, Section 8*)

Thomas Jefferson expressed his concerns with an "open" immigration policy,

"Every species of government has its specific principles. Ours perhaps are more peculiar than those of any other in the universe, It is a composition of the freest principles of the English constitution, with others derived from natural right and natural reason. To these nothing can be more opposed than the maxims of absolute monarchies. Yet from such we are to expect the greatest number of emigrants. They will bring with them the principles of the governments they leave, imbibed in their early youth; or, if able to throw them off, it will be in exchange for an unbounded licentiousness, passing, as is usual, from one extreme to another. It would be a miracle were they to stop precisely at the point of temperate liberty. These principles, with their language, they will transmit to their children. In proportion to their numbers, they will share with us the legislation. They will infuse into it their spirit, warp and bias its directions, and render it a heterogeneous, incoherent, distracted mass... Suppose twenty millions of republican Americans thrown all of a sudden into France, what would be the condition of that kingdom? If it would be more turbulent, less happy, less strong, we may believe that the addition of half a million of foreigners to our present numbers would produce a similar effect here." (Bergh, *The Writings of Thomas Jefferson, Notes on Virginia, Volume 2, p.120-121*)

Jefferson's statement regarding the dangers of foreign polluting political philosophies being injected into the nation's policies give us fair warning. The constitutional government of both the States and the nation are in danger.

The integrity of the international borders of the nation must be maintained. No "right of migration" exists for foreign nationals to enter the nation under terms other than those defined by Congress, and Congress has a duty to establish terms which protect the sovereignty of the nation and its *established* form of *limited* Constitutional Government.

History bears solemn witness that any nation which cannot or will not maintain the integrity of its borders will not long remain a sovereign nation. History abounds with numerous examples, both in ancient times, as

well as in modern times, of this unequivocal truth. If the United States is to remain a free and independent nation under the *United States Constitution*, it must immediately secure its international borders.

Each year approximately one million legal immigrants and almost as many illegal aliens enter the United States. These immigrants - including illegal aliens - have been made eligible for various kinds of public assistance, including housing, education, Social Security, and legal services. This drain on the federal Treasury is having a severe and adverse impact on our economy, increasing the cost of government at federal, state, and local levels, adding to the tax burden, and stressing the fabric of society. The mass importation of people with low standards of living threatens the wage structure of the American worker and the labor balance in our country.

We oppose the abuse of the H-1B and L-1 visa provisions of the immigration act which are displacing American workers with foreign.

We favor a moratorium on immigration to the United States, except in extreme hardship cases or in other individual special circumstances, until the availability of all federal subsidies and assistance be discontinued, and proper security procedures have been instituted to protect against terrorist infiltration.

We also insist that every individual group and/or private agency which requests the admission of an immigrant to the U.S., on whatever basis, be required to commit legally to provide housing and sustenance for such immigrants, bear full responsibility for the economic independence of the immigrants, and post appropriate bonds to seal such covenants.

The Constitution Party demands that the federal government restore immigration policies based on the practice that potential immigrants will be disqualified from admission to the U.S. if, on the grounds of health, criminality, morals, or financial dependence, they would impose an improper burden on the United States, any state, or any citizen of the United States.

We oppose the provision of welfare subsidies and other taxpayer-supported benefits to illegal aliens, and reject the practice of bestowing U.S. citizenship on children born to illegal alien parents while in this country.

We oppose any extension of amnesty to illegal aliens. We call for the use of U.S. troops to protect the states against invasion.

We oppose bilingual ballots. We insist that those who wish to take part in the electoral process and governance of this nation be required to read and comprehend basic English as a precondition of citizenship. We support English as the official language for all governmental business by the United States.

Defense

The *United States Constitution* grants the power *solely* to Congress to take the nation into war. The Executive (President) does not have a shred of power granted to him in regards to this most momentous act, nor does an entangling alliance with another nation have the power to automatically draw the nation into war. **Article I Section 8 clause 11** of the United States Constitution states:

"Congress shall have Power...To declare War..."

In 1803, St. George Tucker, one of the preeminent constitutional scholars of the founding era of the United States, published his monumental work: *View of the Constitution of the United States*. In that volume, he painstakingly reviews the form of government created by the *United States Constitution*, the powers granted within that document, and the scope and limits within which each component of the government is to operate. In regards to the matter of war, Tucker notes the following:

"The power declaring war, with all its train of consequences, direct and indirect, forms the next branch of the powers confided to Congress; and happy it is for the people of America that it is so vested. The term war, embraces the extremes of human misery and iniquity, and is alike the offspring of the one and the parent of the other. What else is the history of war from the earliest ages to the present moment but an afflicting detail of the sufferings and calamities of mankind, resulting from the ambition, usurpation, animosities, resentments, piques, intrigues, avarice, rapacity, oppressions, murders, assassinations, and other crimes, of the few possessing power! How rare are the instances of a just war! How few of those which are thus denominated have had their existence in a national injury! The personal claims of the sovereign are confounded with the interests of the nation over which he presides, and his private grievances or complaints are transferred to the people; who are thus made the victims of a quarrel in which they have no part, until they become principals in it, by their sufferings. War would be banished from the face of the earth, were nations instead of princes to decide upon their necessity. Injustice can never be the collective sentiment of a people emerged from barbarism. Happy the nation where the people are the arbiters of their own interest and their own conduct! Happy were it for the world, did the people of all nations possess this power." (St. George Tucker, *View of the Constitution of the United States with Selected Writings* [1803], ed. Clyde N. Wilson (Indianapolis: Liberty Fund, 1999), Pg. 211)

During the debates of the Constitutional Convention of 1787, the delegates sought to build into their new constitution the greatest protection against frivolous or unjustified involvement in war. They sought to make the process for entering into war as deliberative as possible. They sought to place the responsibility for the decision as close to the people as possible, since it would cost the blood and fortune of the people

if it were entered into. They sought to remove the ability of one person, or office, to commit the nation to war. They debated and discussed the matter in excruciating detail before arriving at the solution they included in the final form of the *Constitution*.

Since the U.S. House of Representatives was to be the only department elected directly by the people, and it is constitutionally the department with the power of the purse for the nation, and thus most answerable to the people; and since the U.S. Senate was originally appointed by the respective state legislatures (which state legislatures would be responsible to pay for war by taxing their constituents), the decision was made to require the Congress to declare war if it was to be done.

The founders specifically withheld from the President of the United States the power to commit the United States to war. They did not want to allow conditions to arise under which some future President could act as the monarchs had done in throwing their nations into unjustified war.

So Congress is to determine when the nation goes to war, and only Congress may declare war. The President is the commander of the military, but he has no power to determine when or if the nation goes to war; and Congress constitutionally retains numerous other powers and authority over the armed forces of the nation, including funding decisions, the power to make rules for the government and regulation of the military, the power to mobilize and deploy the Militia, and other important influence. (United States Constitution, [Article I Section 8 clauses 11-16](#))

So, even during war the President of the United States is subject to congressional restraint, and does not possess "plenary" (full and absolute) powers as some have claimed.

James Madison, considered by many to be the "Father of the Constitution," was an active participant in the Constitutional Convention of 1787. During the debate regarding the war-making powers, he made the following comment regarding the dangers associated with the circumstance of war, the tendency of power to accrue to the Office of the Executive during war, and the concerns he had that war may present opportunities for trickery and usurpation which would destroy the liberty of the nation:

"In time of actual war, great discretionary powers are constantly given to the Executive magistrate. Constant apprehension of war has the same tendency to render the head too large for the body. A standing military force, with an overgrown Executive, will not long be safe companions to liberty. The means of defense against foreign danger have been always the instruments of tyranny at home. Among the Romans it was a standing maxim, to excite a war whenever a revolt was apprehended. Throughout all Europe, the armies kept up under the pretext of defending, have enslaved, the people." (James Madison, *Journal of the Federal Convention*, Vol.1, p.264—p.265)

During the Constitution Convention of 1787, Thomas Jefferson was serving this nation on assignment in France. At the conclusion of the convention, Madison forwarded the new constitution to Jefferson. After he had reviewed the document, Jefferson noted the control placed upon the President in regards to war-making power, and wrote to Madison, saying:

"We have already given, in example, one effectual check to the dog of war, by transferring the power of declaring war from the executive to the legislative body, from those who are to spend, to those who are to pay." (Thomas Jefferson, letter to James Madison, 06 September 1789, Bergh, *Writings of Thomas Jefferson*, vol. 7., pg 461)

James Madison continued throughout his life to hold concerns regarding the war-making powers of a nation, expressing his fears of an expanded Executive power during a state of war, and the risks that unremitting war will destroy the freedom of the nation:

"Of all the enemies to public liberty war is, perhaps, the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies; from these proceed debts and taxes; and armies, and debts, and taxes are the known instruments for bringing the many under the domination of the few. In war, too, the discretionary power of the Executive is extended; its influence in dealing out offices, honors, and emoluments is multiplied; and all the means of seducing the minds, are added to those of subduing the force, of the people.... No nation could preserve its

freedom in the midst of continual warfare." (*Writings of Madison*, Volume 4: 1829-1836, p.491)

Unfortunately, modern Congresses have blatantly disregarded their sole responsibility in the matter of war, lacking the courage to fulfill their constitutionally-mandated duty in this regard. They have failed in the natural tendency to jealously guard their sphere of influence. They have even facilitated the usurpation of power by the Executive branch, claiming that they may delegate their authority in the matter of war to the President, or to please international organizations. Constitutional protocol was well understood by those who founded this nation, and they knew that the authority which was assigned in the *Constitution* could not legally be delegated to another entity.

The war-making power of a nation is an awesome force which holds fearsome destructive power. War is institutionalized mass murder carried out by the most powerful mortal force on earth—government. While the founders of this great nation knew that the choice of war would sometimes face the nation, or be thrust upon the nation by the wicked actions of other nations, they wished to constrain and control the natural tendency of human nature to abuse power and exercise it excessively and improperly. The founders had observed the countless times that the destructive forces of war had been unleashed upon humankind by the whim of a monarch or despot, and wished to shield themselves and their posterity, indeed, all of mankind from such a terrible burden, so they devised a marvelous process which would prevent the nation from entering into conflict without a full deliberative process in which the justice, the necessity, the cost, and the facts could be fully reviewed before each member of the Congress solemnly stepped forward and cast their vote in the matter. The founders of this nation fully understood that in matters of war, the blood, the fortune, and the sacred honor of the entire nation is at stake.

For many years now the nation has strayed from these sound principles. If the liberties which were bequeathed to the nation are to be saved, we must immediately restore the foundation upon which the nation was established and built. Congress must again assume its duty in the matter of war, and wrest the war-making power from the hands, both foreign and domestic, which have usurped the congressional *Constitutional* responsibility.

It is a primary obligation of the federal government to provide for the common defense, and to be vigilant regarding potential threats, prospective capabilities, and perceived intentions of potential enemies.

We oppose unilateral disarmament and dismemberment of America's defense infrastructure. That which is hastily torn down will not be easily rebuilt.

We condemn the presidential assumption of authority to deploy American troops into combat without a declaration of war by Congress, pursuant to Article I, Section 8 of the U.S. Constitution.

Under no circumstances would we commit U.S. forces to serve under any foreign

flag or command. We are opposed to any New World Order, and we reject U.S. participation in or a relinquishing of command to any foreign authority.

The goal of U.S. security policy is to defend the national security interests of the United States. Therefore, except in time of declared war, for the purposes of state security, no state national guard or reserve troops shall be called upon to support or conduct operations in foreign theatres.

We should be the friend of liberty everywhere, but the guarantor and provisioner of ours alone.

We call for the maintenance of a strong, state-of-the-art military on land, sea, in the air, and in space. We urge the executive and legislative branches to continue to provide for the modernization of our armed forces, in keeping with advancing technologies and a constantly changing world situation. We call for the deployment of a fully-operational strategic defense system as soon as possible.

We believe that all defense expenditures should be directly related to the protection of our nation, and that every item of expenditure must be carefully reviewed to eliminate foreign aid, waste, fraud, theft, inefficiency, and excess profits from all defense contracts and military expenditures.

We reject the policies and practices that permit women to train for or participate in combat. Because of the radical feminization of the military over the past two decades, it must be recognized that these "advances" undermine the integrity and morale of our military organizations by dual qualification standards and forced integration.

We support the restoration of "well regulated militia[s]" at the state and/or community levels.

Under no circumstances should we have unilaterally surrendered our military

base rights in Panama. The sovereign right of the United States to the United States territory of the Canal Zone has been jeopardized by treaties between the United States and Panama. Inasmuch as the United States bought both the sovereignty and the grant ownership of the ten-mile-wide Canal Zone, we propose that the government of the United States restore and protect its sovereign right and exclusive jurisdiction of the Canal Zone in perpetuity, and renegotiate the treaties with Panama by which the ownership of the canal was surrendered to Panama.

It should be a priority goal of the President and Congress to insist on enforcement of that portion of the 1978 Panama Canal Neutrality Treaty which prohibits control of the entrances to the Panama Canal by any entity not part of the Republic of Panama or the United States of America. By this standard, the award of port facilities at the entrances to the Panama Canal to Hutchison Whampoa, a Hong Kong company closely linked to the Chinese Communist People's Liberation Army, must be overturned. Similarly, Congress and the President should take advantage of Panama Canal treaty provisions to negotiate the return of a U.S. military presence at the isthmus of Panama. At a time when the U.S. Navy is one-third its former size, it is essential that rapid transit of U.S. military vessels between the Atlantic and Pacific Oceans be assured.

This Category includes issues about which the Constitution clearly does delegate some powers to the Federal government but in the past few decades, those powers have been interpreted in an overly expansive way or just simply abused. There is great need to learn follow what the Founders intended that we do with these powers.

Cost of Big Government

The Founding Fathers of the United States considered a national debt to be a great burden that was to be avoided and resolved with the greatest of diligence. They considered it to be a bane to the liberty of the Nation, and counseled most emphatically that the Nation guard against it.

In his annual State of the Union reports to Congress, George Washington spoke often of the burden of national debt. Thomas Jefferson devoted a great deal of time in each of his annual State of the Union reports to reviews of the Nation's efforts to retire the national debt. The efforts to accomplish that were largely based upon sale of federal lands to citizens of the United States (only). This accomplished at least two great goals: It placed within the power of the people the means to produce prosperity for themselves and the Nation, and it removed the debt which burdened the Nation. In this we may see an example of the "original intent" of the Founding Fathers.

It is interesting to note that the last time the Nation was completely debt-free was during the Andrew Jackson Administration, and that was achieved through the sale of federally-held land.

Washington felt that the national debt should be paid without delay, saying:

"I entertain a strong hope that the state of the national finances is now sufficiently matured to enable you to enter upon a systematic and effectual arrangement for the regular redemption and discharge of the public debt, according to the right which has been reserved to the government. No measure can be more desirable, whether viewed with an eye to its intrinsic importance or to the general sentiment and wish of the nation." [Fourth Annual Address to Congress. Fitzpatrick 32:211. (1792.)]

"No pecuniary consideration is more urgent than the regular redemption and discharge of the public debt; on none can delay be more injurious, or an economy of time more valuable." [Fifth Annual Address to Congress. Fitzpatrick 33:168. (1793.)]

"The time which has elapsed since the commencement of our fiscal measures has developed our pecuniary resources so as to open a way for a definitive plan for the redemption of the public debt. It is believed that the result is such as to encourage Congress to consummate this work without delay. Nothing can more promote the permanent welfare of the nation, and nothing would be more grateful to our constituents. Indeed, whatsoever is unfinished of our system of public credit cannot be benefited by procrastination; and as far as may be practicable, we ought to place that credit on grounds which cannot be disturbed, and to prevent that progressive accumulation of debt which must ultimately endanger all governments." [Sixth Annual Address to Congress. Fitzpatrick 34:36. (1794.)]

"It will afford me heartfelt satisfaction to concur in such further measures as will ascertain to our country the prospect of a speedy extinguishment of the debt. Posterity may have cause to regret if, from any motive, intervals of tranquility are left unimproved for accelerating this valuable end." [Eighth Annual Address to Congress. Fitzpatrick 35:319. (1796.)]

Washington also advised that the Nation avoid national debt when possible, and quickly repay it when incurred:

"As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear." [Farewell Address. Fitzpatrick 35:230. (1796.)]

Thomas Jefferson was no less emphatic in his resolve to extinguish public debt, saying:

"I...place economy among the first and most important of republican virtues, and public debt as the greatest of the dangers to be feared." [Bergh 15:47. (1816.)]

"I am for...applying all the possible savings of the public revenue to the discharge of the national debt." [To Elbridge Gerry. Bergh 10:77. (1799.)]

"I consider the fortunes of our republic as depending, in an eminent degree, on the extinguishment of the public debt before we engage in any war; because, that done, we shall have revenue enough to improve our country in peace and defend it in war, without recurring either to new taxes or loans. But if the debt should once more be swelled to a formidable size, its entire discharge will be despaired of, and we shall be committed to the English career of debt, corruption, and rottenness, closing with revolution. The discharge of the debt, therefore, is vital to the destinies of our government." [To Albert Gallatin. Bergh 12:324. (1809.)]

"The principle of spending money to be paid by posterity, under the name of funding, is but swindling futurity on a large scale." [Bergh 15:23. (1816.)]

It is tragic to note how the Nation in recent decades has strayed from the sound counsel of those who founded this great Nation. The chart below captures the essence of the matter by equating the national debt to the burden upon each man, woman, and child in the United States:

United States National Debt Comparison

Year	National Debt	Population	Per Capita Debt
1800	\$82,976,294.00	5,309,000	\$15.63
1900	\$2,136,961,091.00	75,995,000	\$28.12
1913	The 16th Amendment (income tax) ratified, 17th Amendment (direct election of U.S. Senators) ratified, Federal Reserve established		
1980	\$930,200,000,000.00	226,542,199	\$4,106.08
2006	\$9,000,000,000,000.00	298,000,000	\$30,200.00

Today's politicians have buried the Nation in debt. They have done this by ignoring the constitutional limits of their power, acting as though they have power to tax and spend for any whim that strikes them. They tax trillions of hard-earned dollars each year from the citizens of this land, only to spend hundreds of billions more each year than they collect. Sadly, most of the spending is not authorized by the United States Constitution.

The solution is a return to the constraints of power on the federal government which exist within the United States Constitution. James Madison stated that the powers of the national government were "few and well defined." Perhaps, when the people of the Nation again understand that fact, the Nation's leadership will be compelled to abide by their oath to uphold the Constitution of the United States.

A legitimate and primary purpose of civil government is to safeguard the God-given rights of its citizens; namely, life, liberty, and property. Only those duties, functions, and programs specifically assigned to the federal government by the Constitution should be funded. We call upon Congress and the President to stop all federal expenditures which are not specifically authorized by the U. S. Constitution, and to restore to the states those powers, programs, and sources of revenue that the federal government has usurped.

Budget considerations are greatly impacted by the ever rising national debt. Interest on the debt is one of the largest expenses of government, and unless the interest is paid, the debt will continue to grow as interest is added to interest. If we are to get rid of the debt, a time needs to be set within which the debt will be funded, and then pay it off within that period. Whatever the payoff period may be, three things must happen within that time.

- The annual reductions have to be made without fail.

- All interest must be paid as it accrues; and
- The government must not spend more than it takes in during the payoff period.

One of the greatest contributors to deficit spending is war. If the country is to get rid of debt, the United States cannot become gratuitously involved in constant wars. Constitutional government, as the founders envisioned it, was not imperial. It was certainly not contemplated that America would police the world at the taxpayers' expense.

We call for the systematic reduction of the federal debt through, but not limited to, the elimination of further borrowing and the elimination of unconstitutional programs and agencies.

We call upon the President to use his Constitutional veto power to stop irresponsible and unconstitutional appropriations, and use his Constitutional authority to refuse to spend any money appropriated by Congress for unconstitutional programs or in excess of Constitutionally imposed tax revenue.

The debt could be more rapidly eliminated if certain lands and other assets currently held by the federal government were sold, and the proceeds applied to the debt. This policy should be employed, and funds from the sale of all such assets should be specifically applied to debt reduction.

We reject the misleading use of the terms "surplus" and "balanced budget" as long as we have public debt. We oppose dishonest accounting practices such as "off-budget items" used to hide unconstitutional spending practices.

We call for an end to the raiding by the federal government of the Social Security, Railroad Retirement and Medicare funds. We believe that over a protracted period the Social Security system may be privatized without disadvantage to the beneficiaries of the system. However, the program has been in place since the 1930s, and workers and their

employers were taxed for the program and paid in good faith. The government promised to deliver the benefits, and must meet this commitment.

We call for the abolition of the Civil Service system, which is perceived to confer on government employees a "property right" regarding their jobs.

Money and Banking

"Congress shall have power...To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;..." (US Constitution, Article I Section 8, clause 5)

"No State shall...coin money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts..." (US Constitution, Article I, Section 10, clause 1)

In simplest terms, money is a medium of exchange by which goods which are desired are obtained. Since the beginning of time, mankind has exchanged goods and services through various mediums of exchange. Long before the Founders of this Nation set about establishing the Nation's money standard, thousands of years of mankind's experience had defined the requirements of a successful, stable money system. Barter systems initially prevailed (exchanging a cow for pigs). Challenges developed when one had a cow or a pig and wanted a few eggs for a meal. Multiple exchanges became necessary to come to an exchange which was fair to both parties. Facilitating easy exchanges necessitated finding an exchange medium (money) which was universally acceptable to all who may wish to exchange. Experience determined that money must have intrinsic value in order to be desirable for exchange. It must be easily divisible to assure that exact amounts could be given upon exchange. It must be durable so it would not be lost through exposure to the elements, or moth, or corrosion. And it must be relatively scarce. Precious metals met all requirements: intrinsic value, easily divisible, durable, and relative scarcity.

To finance the Revolutionary War, both the National government and the States had resorted to printing paper money which was backed by the "full faith and credit" of the government, but was not fully redeemable with "real" money. The money was not tied to precious metal. The experience was a disaster. The economy collapsed. Un-backed paper does not meet the defined qualifications for money: it does not have intrinsic value, it is not durable, and it certainly is not scarce.

In recognition of their painful experience with paper money, the Founding Fathers of this Nation sought to prevent future forays in this area, and to establish the Nation upon sound economic principles.

During the 1787 Constitutional Convention, they debated the issue of paper money. James Madison's Journal of the Federal Convention clearly indicates their "original intent" to preclude the Nation from suffering under a paper money supply. Noting the experience in the early history of this Nation, and of nations in Europe, it was suggested that allowing the government to print paper money "would be as alarming as the mark of the Beast in Revelation." It was also noted that the entire proposed constitution would be a failure if the power to print money was allowed. The Convention voted in favor of preventing the issue of un-backed paper money. (See James Madison, Journal of the Federal Convention, Vol.2, p.541-543 [Thursday 16 August 1787]) Later debates in the Convention confirm the concerns held about paper money. (See James Madison, Journal of the Federal Convention, Vol.2, p.620)

Also, in Federalist Papers 42 and 44 James Madison briefly touches upon the issue of paper money.

Brevity necessitates that only a few statements by the Nation's Founders be noted:

George Washington wrote:

"I am well aware that appearances ought to be upheld, and that we should avoid as much as possible recognizing by any public act the depreciation of our currency; but I conceive this end would be answered, as far as might be necessary, by stipulating that all money payments should be made in gold

and silver, being the common medium of commerce among nations." (To the President of Congress. Fitzpatrick 11:217. [1778]).

"Every other effort is in vain unless something can be done to restore [the currency's] credit... The liberties and safety of this country depend upon it; the way is plain; the means are in our power. But it is virtue alone that can effect it." (To Edmund Pendleton. Fitzpatrick 17:52. [1779]).

"Experience has demonstrated the impracticality long to maintain a paper credit without funds for its redemption. The long depreciation of our currency was in the main a necessary effect of the want of those funds." (To John Laurens. Fitzpatrick 21:106. [1781]).

"Uniformity in the currency [and in the] weights and measures of the United States is an object of great importance, and will, I am persuaded, be duly attended to." (First Annual Address to Congress. Fitzpatrick 30:493. (1790)).

Thomas Jefferson also felt it critically important to keep the Nation's monetary system on a sound footing, saying:

"One of the great advantages of specie as a medium is that, being of universal value, it will keep itself at a general level....[quoting Adam Smith, Jefferson notes] that 'the commerce and industry of a country cannot be so secure when suspended on the Daedalian wings of paper money as [when] on the solid ground of gold and silver.'" (To John W. Eppes. Bergh 13:412. [1813]).

"Specie is the most perfect medium, because it will preserve its own level; because, having intrinsic and universal value, it can never die in our hands; and it is the surest resource of reliance in time of war....The trifling economy of paper as a cheaper medium, or its convenience for transmission, weighs nothing in opposition to the advantages of the precious metals....[Paper money] is liable to be abused, has been, is, and forever will be abused, in every country in which it is permitted." (To John W. Eppes. Bergh 13:430. (1813)).

Through the joint efforts of Washington and Jefferson, Congress took up to their Constitutionally mandated responsibility to establish a sound monetary system for the United States. Congress passed the Coinage Act of 1792, which firmly established gold and silver as the medium of exchange for the United States. Unfortunately, the Coinage Act of 1965 (which created the base metal coins we have in circulation today which have no intrinsic value), and several other tragic actions by both the Congress and the Executive branch have superseded and subverted the "self evident" truths of a proper monetary system, and the United States is now adrift in a boundless sea in which the financial stability of the Nation has been destroyed.

Inflation is rampant because the national government now creates un-backed debt-based paper money at will to "fund" profligate and wastrel programs which are not allowed under the limits established within the United States Constitution. This dishonest and pernicious practice distorts the economy, erodes personal savings, and places future generations in bondage.

The solution lies in returning to the limited scope and bounds within which the National government was originally established, turning from a process which creates un-backed printing press paper "money" upon the whim of national leaders, and a recognition of real money based upon the wisdom of the ages and the Founder's original intent.

Money functions as both a medium of exchange and a symbol of a nation's morality.

The Founding Fathers established a system of "coin" money that was designed to prohibit the "improper and wicked" manipulation of the nation's medium of exchange while guaranteeing the power of the citizens' earnings.

The federal government has departed from the principle of "coin" money as defined by the U.S. Constitution and the Mint Act of 1792 and has granted unconstitutional control of the nation's monetary and banking system to the private Federal Reserve System.

The Constitution Party recommends a substantive reform of the system of Federal taxation. In order for such reform to be effective, it is necessary that the United States:

- Return to the money system set forth in the Constitution;
- Repeal the Federal Reserve Act, and reform the current Federal Reserve banks to become clearing houses only; and
- Prohibit fractional reserve banking.

It is our intention that no system of "debt money" shall be imposed on the people of the United States. We support a debt free, interest free money system.

Tariffs and Trade

Article I, Section 8, clause 1 of the United States Constitution delegates to Congress the authority to collect "...Duties, Imposts and Excises, to pay the Debt and provide for the common Defense..." In Federalist Paper Number 45, James Madison indicated that the primary source of these revenues for performing the responsibilities of the national government would be import taxes collected as foreign goods were brought into this country:

"The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected." (*James Madison, Federalist No. 45*)

Article I, section 8, clause 3 of the United States Constitution specifically states that "Congress shall...regulate commerce with foreign nations."

Article VI, clause 3 of the United States Constitution specifically states: "The Senators and Representatives...shall be bound by Oath or Affirmation, to support this Constitution."

In light of the fact that the individual members of Congress have sworn by their oath of office to abide within the bounds established within the Constitution of the United States, the members of Congress are required by their oath of office to uphold the sovereignty and independence of the United States, and act within their duty as assigned within the Constitution.

The United States Constitution directs that the United States Congress is the body that is to regulate commerce with foreign nations. While constantly ignored today, constitutional protocol dictates that authority delegated to a legislative body cannot be "re-delegated" by that body. Constitutional protocol was well understood by those who founded this nation, and they knew that the authority which was assigned within the Constitution could not legally be delegated to another entity.

In light of this, it is the sole responsibility of Congress to regulate commerce with foreign nations. Congress cannot constitutionally delegate that responsibility to any other organization, especially international bureaucracies that were not elected by the citizens of the United States!

In violation of this critically important principle, on numerous occasions Congress has unconstitutionally voted to delegate this power to international organizations. In recent years, by their actions in this area, Congress and the Executive branch have consistently and methodically subverted the sovereignty of the United States. By their efforts, power to regulate our commerce with foreign nations has been passed to such organizations as the World Trade Organization (WTO), the North American Free Trade Agreement (NAFTA), the General Agreement on Tariffs and Trade (GATT), and the Central American Free Trade Agreement (CAFTA). Other so-called "free trade" agreements are pending and aggressively being fostered, such as the Free Trade Area of the Americas (FTAA), and the Security and Prosperity Partnership (SPP), which would effectively erase the borders between the United States and Mexico and Canada. To add insult to injury, the United States generally provides the bulk of financial resources to these organizations, and has only one vote in these decidedly anti-American forums.

Approval of these agreements by our national leadership has allowed international non-elected bureaucracies to dictate numerous economic and domestic policies of the United States in a manner which should be solely the prerogative of the United States. Additionally, these agreements eliminate U.S. import fees which were Constitutionally authorized as a revenue source to fund the Nation's legal activities; and as this revenue source is eliminated, additional burdens are placed upon the backs of American taxpayers, either through additional debt, or through higher internal taxes.

In spite of this reduction of U.S. tariffs, these agreements are not about free trade. They are about managed trade. Trade managed not by Congress as mandated by Article I Section 8 clause 3 of the United States Constitution, but trade managed by supranational unelected bodies of bureaucrats which will never have their actions questioned by an electorate that can unseat them from their pompous appointments.

Of even greater concern is the demonstrable fact that these types of agreements lead, ultimately, to

merger into regional governments which subvert national sovereignty. These agreements have far less to do with free trade between nations, and far more to do with subverting the sovereignty of the United States to a globalist organization that does not uphold the principles vouched safe by the United States Constitution

Just as the European Common Market has metastasized into a supranational regional government which dictates economic and domestic policy to the European nations which have joined it, these agreements are precursors to a regional arrangement which will ultimately subvert and destroy our inspired Constitution. As testimony of this, we have the European outcome unfolding right before our eyes, as well as the experience our own nation has had with subversive rulings from both NAFTA and WTO. We are foolish to think that these historical facts will not replicate themselves if we follow the exact path which brought about the European Union (EU).

At the beginning of the American Revolution, the great patriot Patrick Henry stated: "I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging the future but by the past." [Patrick Henry, speech to the Virginia Convention, Richmond, Virginia, March 23, 1775.— William Wirt, *Sketches of the Life and Character of Patrick Henry*, 9th ed., pp. 138-39 (1836, reprinted 1970). Language altered to first person.]

In *The Tempest*, William Shakespeare observed "...what's past is prologue," meaning the experience of the past is but an introduction to that which is to come. [Shakespeare, *The Tempest*, Act 2, Scene 1]

And in volume one of *The Life of Reason* we read: "Those who cannot remember the past are condemned to repeat it.... This is the condition of children and barbarians, in whom instinct has learned nothing from experience." [George Santayana, *The Life of Reason*, vol. 1, chapter 12, p. 284 (1905).]

In light of this wisdom, our concerns about these sovereignty-destroying agreements are well-founded. We may learn valuable lessons from the glaring example of the history of the European Union, and from that example we may learn how regional governments which subvert national governments are born. We also have the painful history of many examples of where the actions taken under authority of NAFTA, GATT, and the WTO have undermined the ability of the United States to act independently and to our national benefit. We must learn from these experiences. And wisdom would dictate that we modify our path to return to one that is both Constitutionally sound, and also protective of our national interests.

It is imperative that the members of the United States Congress stand forth and exercise the most vigorous efforts possible within the proper authority of their respective Offices to wrest from the clutches of foreign entities this critically important power, and restore their Constitutional responsibility to regulate commerce with foreign nations.

Article I, Section 8, of the Constitution states that Congress shall have the power

"To regulate Commerce with foreign Nations." Congress may not abdicate or transfer to others these Constitutional powers. We oppose, therefore, the unconstitutional transfer of authority over U.S. trade policy from Congress to agencies, domestic or foreign, which improperly exercise policy-setting functions with respect to U.S. trade policy.

We favor the abolition of the Office of Special Trade Representative, and insist on the withdrawal of the United States from the North American Free Trade Agreement (NAFTA), the General Agreement on Tariffs and Trade (GATT), the World Trade Organization (WTO), and all other agreements wherein agencies other than the Congress of the United States improperly assume responsibility for establishing American trade policies.

Article I, Section 8 provides that duties, imposts, and excises are legitimate revenue-raising measures on which the United States government may properly rely. We support a tariff based revenue system, as did the Founding Fathers, which was the policy of the United States during most of the nation's history. In no event will the U.S. tariff on any foreign import be less than the difference between the foreign item's cost of production and the cost of production of a similar item produced in the United States. The cost of production of a U.S. product shall include, but not be limited to, all compensation, including fringe benefits, paid to American workers, and environmental costs of doing business imposed on business by federal, state, and local governments.

Tariffs are not only a constitutional source of revenue, but, wisely administered, are an aid to preservation of the national economy. Since the adoption of the 1934 Trade Agreements Act, the United States government has engaged in a free trade policy which has destroyed or endangered important segments of our domestic agriculture and industry, undercut the wages of our working men and women, and totally destroyed or shipped abroad the jobs of hundreds of thousands of workers. This free trade policy is being used to foster socialism in America through welfare and subsidy programs.

We oppose all international trade agreements which have the effect of diminishing America's economic self-sufficiency and of exporting jobs, the loss of which impoverishes American families, undermines American communities, and diminishes America's capacity for economic self-reliance, and the provision of national defense.

We see our country and its workers as more than bargaining chips for multinational corporations and international banks in their ill-conceived and evil New World Order.

We reject the trade concept of normal trade relations (Most Favored Nation status), used to curry favor with regimes whose domestic and international policies are abhorrent to decent people everywhere, and which are in fundamental conflict with the vital interests of the United States of America.

We strongly oppose unconstitutional "Trade Promotion Authority," which transfers the establishment of trade policy from Congress to the Executive branch of government.

In the name of free trade, multi-national corporations have been given tax breaks by the U.S. government which are not available to American businesses, and the money extracted from U.S. taxpayers has been used by the government to subsidize exports and encourage businesses to move abroad. Such improprieties must cease.

The United States government should establish the firm policy that U.S. or multinational businesses investing abroad do so at their own risk. There is no obligation by our Government to protect those businesses with the lives of our service personnel, or the taxes of our citizens.

In the area of national security, foreign interests have been abetted in gaining access to America's high-tech secrets under the guise of commercial enterprise.

We propose that technology transfers which compromise national security be made illegal, and urge that all violators be prosecuted. We demand that all weapons systems, military uniforms and equipment purchased for the American military be domestically produced in their entirety along with all their component parts.

We oppose the practice of any officer of the United States government, or spouse thereof, who, subsequent to Federal government employment is employed to represent a foreign government or other foreign entity, public or private, for purposes of influencing public opinion or policy on matters affecting U.S. trade with such foreign government or entity.

Powers Not Delegated

The Constitution does not grant the federal government the power to do anything that is not prohibited. In all cases, when one of these planks labels a program or law unconstitutional, the problem is that the program uses a power that the constitution does not delegate to the federal government.

Other important issues do not fit neatly into any of the previous categories.

Constitutional Convention

In regards to the process by which the United States Constitution is to be changed, the United States Constitution, [Article V](#) states:

"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 One thousand eight hundred and eight 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."

In brief, Article V states that amendments to the Constitution occur when two thirds of both Houses of Congress have agreed on a proposed amendment, and three fourths of all States agree to those changes.

The founders of this Nation were good, and wise, and honest men who sought to establish a charter for this Nation which would assure the blessings of liberty for themselves and their posterity; but in their wisdom, they knew that they were mere mortals that were not omniscient. They knew that time and circumstances may ultimately dictate a need for changes in the Constitution. They were also firm in their conviction that the Constitution was a written, binding contract which all who hold office are required to obey. Washington stated in his *Farewell Address*: "the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all."

If changes became necessary, they were not to occur through usurpation or by any means than by the process defined in the United States Constitution. The founders did not embrace the modern lie that the

Constitution is a "living document" which can be change by decree, in practice, or by any other means than the Article V process.

In recent years a gross misunderstanding has become popular: that the Constitution may be modified upon the whim of the Supreme Court (some have called the Supreme Court a "constantly sitting constitutional convention"), or by the decree of a President, or by the vote of Congress. These philosophies defy all logic, reason, and firmly established constitutional principle. And yet, this position is fostered today by those whom the founders of the Nation warned against.

The Founding Fathers of this Nation were unequivocal in their position that the Constitution was binding upon all until changed by an authentic act.

In his *Farewell Address*, Washington warned that factions, groups, parties, or combinations would arise which would attempt to modify the foundation of the constitutional government which had been established, and that those efforts could result in the overthrow of the freedom of the land, saying:

"All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency....

"However combinations or associations of the above description may now and then answer popular ends, they are likely in the course of time and things to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion....

"Toward the preservation of your Government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system, and thus to undermine what can not be directly overthrown." (Messages and Papers of the Presidents, George Washington, Vol 1, Pg.209-210)

It is currently in vogue to suggest that the Constitution is somehow flawed, and that recent usurpations by the federal government demonstrate the truth of that position, particularly in cases in which the Founding Fathers of this Nation clearly intended that jurisdiction in a matter be withheld from the national government and left in the hands of the States. Those who hold the position that the Constitution is flawed are often quick to insist that constitutional amendments are desperately needed to correct the "flaws" they perceive. The real truth about "flaws" which are supposedly in the current United States Constitution is this: Every single one of these so-called flaws have been brought about by usurpation of authority not granted by the Constitution. The flaw is not in the Constitution—it is in those who seek power, and those who allow them to hold power. The key to stopping this is in a courageous Congress, not in scrapping the Constitution, or in modifying it every time some tyrant seeks to usurp power not granted in God's inspired document. If we changed it for every whim of false philosophy which came along, we would have many thousands of amendments, and not a real Constitution.

Virtually all of the "flaws" which clamor for a constitutional amendment could be solve by the majority vote of a courageous Congress to remove the matter from a runaway court system. Logic, reason, and historical precedent testify that the task of obtaining a simple majority in Congress is much easier than getting two-thirds of both houses and three-fourths of all the States to bring amendments forth that aren't needed to begin with.

And the danger of seeking amendments in the many emotional issues which face us today is magnified by huge orders of magnitude if the "good and well-meaning people" of the land become so frustrated and angry with a Congress that can't bring them an amendment they wish to pass that they demand a constitutional convention be called. Remember, Article V of the Constitution requires Congress to convene a convention if two-thirds of the States call for one (the Constitution says they "*shall call*" a convention, not that they "may call" a convention). We are already dangerously close to that event.

Of course, the only national constitutional convention we have had in the entire history of the United States resulted in what we would call today a "runaway convention." While those who attended the Convention of 1787 had been called together to correct perceived flaws in the existing Constitution, The Articles of Confederation, they immediately saw within the purview of their authority as duly elected representatives of the people and States to set aside the existing constitution and write another one. That is exactly what they did, and they even changed the unanimous consent required by the Articles of Confederation to a lesser level to assure easier ratification of the new constitution. Fortunately, God had raised up men for this very purpose, and the results were endorsed by God. Where are such men today? In light of the dangers associated with a constitutional convention, one must ask one's self: Among the prominent leaders of this Nation, is there even one found who could hold a candle to the inspired works of those whom we call the Founding Fathers of this Nation? The risk for such an action today cannot be measured.

We affirm the original text of the United States Constitution and the Bill of Rights. We affirm that the nation's Charter, the Declaration of Independence, and the Constitution contain the foundational law of the federal union. We condemn, therefore, all legislative, executive, and judicial action that departs from the texts and intent of the Charter and the Constitution and their original meaning.

We oppose any attempt to call for a Constitutional convention, for any purpose whatsoever, because it cannot be limited to any single issue, and such convention could seriously erode our Constitutionally protected unalienable rights.

Foreign Policy

Entangling Alliances

Because they were astute observers of the workings of men and nations, the Founding Fathers wisely admonished the Nation to avoid relationships with foreign powers which would draw us into international controversy and conflict. Their solemn admonition was to avoid what they termed "entangling alliances."

Many dozens of instances could be cited which would unequivocally establish the founder's position in this matter, but a few statements must suffice:

In his monumental "[Farewell Address](#)," George Washington counseled us:

"Europe has a set of primary interests, which have to us none, or very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

"Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe,

entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?"

Washington restated his intentions in this matter in a letter to Patrick Henry in 1795, explaining that his purpose was "to keep the United States free from political connections with every other country, to see them independent of all and under the influence of none. In a word, I want an American character, that the powers of Europe may be convinced we act for ourselves and not for others." (GW to Patrick Henry 09 Oct 1795, Fitzpatrick 35:334-335)

Thomas Jefferson had much to say on the matter, stating, at various times:

"I know that it is a maxim with us, and I think it a wise one, not to entangle ourselves with the affairs of Europe."—Ford 4:483. (1787.)

"The Constitution thought it wise to restrain the executive and Senate from entangling and embroiling our affairs with those of Europe."—Manual of Parliamentary Practice. Bergh 2:442. (1800.)

"Determined as we are to avoid, if possible, wasting the energies of our people in war and destruction, we shall avoid implicating ourselves with the powers of Europe, even in support of principles which we mean to pursue. They have so many other interests different from ours that we must avoid being entangled in them. We believe we can enforce these principles, as to ourselves, by peaceable means, now that we are likely to have our public councils detached from foreign views."—To Thomas Paine. Ford 8:18. (1801.)

"I have ever deemed it fundamental for the United States never to take part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government are all foreign to us. They are nations of eternal war. All their energies are expended in the destruction of the labor, property, and lives of their people. On our part, never had a people so favorable a chance of trying the opposite system of peace and fraternity with mankind, and the direction of all our means and faculties to the purposes of improvement instead of destruction."—To President James Monroe. Bergh 15:436. (1823.)

"I am for free commerce with all nations, political connection with none, and little or no diplomatic establishment. And I am not for linking ourselves by new treaties with the quarrels of Europe, entering that field of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty."—To Elbridge Gerry. Bergh 10:77. (1799.)

And perhaps the following statement, which Jefferson made in his First Inaugural Address, most succinctly captures the essence of his position:

"I deem [one of] the essential principles of our government, and consequently [one] which ought to shape its administration,...peace, commerce, and honest friendship with all nations, entangling alliances with none."—First Inaugural Address. Bergh 3:321. (1801.)

Of course, there were other prominent founders who reinforced the official position of the United States, such as this statement which John Quincy Adams made in a July 4th 1821 speech:

"America has abstained from interference in the concerns of others, even when the conflict has been for principles to which she clings....She goes not abroad in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own."

And, in the inspired "Monroe Doctrine" we find James Monroe's great wisdom:

"In the wars of European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do....Our policy in regard to Europe...is, not to interfere in the internal concerns of any of its powers..." (James Monroe, *Monroe Doctrine*)

This position became the official policy of the United States, and was largely followed until the 20th century. The United States grew and prospered under it. And we avoided the almost constant bloodshed which was occurring throughout the rest of the world.

We, as a Nation, now find ourselves constantly embroiled in the conflicts of belligerent nations around the world. This is because we have abandoned the sound doctrines which were implemented as this Nation was established. Our involvement in global conflict has become epidemic since the United States abandoned the advice of the Nation's founders, and entangled itself with international, globalist organizations: The United Nations, NATO, SEATO, CENTO, etc. etc.

Since we have embraced these "entangling alliances," the United States has fought to a bloody stalemate in Korea, assisted in the enslavement of the Christian province of Katanga in Africa, endured the agony of Southeast Asia, squandered our blood and treasure in countless "police actions," (the United States military is currently deployed in over 130 locations world-wide, in which we are basically "trip-wires" between potentially hostile parties); and we are currently embroiled in numerous locations, such as the morass of the Middle East, as well as in a religious civil war in Kosovo which has been going on for centuries. And almost all of these conflicts have been entered into at the behest of the United Nations, or one of its "authorized subsets." Since becoming involved with the UN, the United States has been drawn into a steady stream of almost constant and unremitting wars and rumors of wars.

In the matters of war and international relations as noted herein, the wisdom of the Nation's founders could never be more apparent!

This Nation must awaken and arouse itself to a sense of its awful situation, turn from the false entangling philosophies which have been so highly organized, so cleverly disguised, and so powerfully promoted for so many years, and return to the sound principles upon which this Nation was founded, and which allowed the Nation to become the greatest, freest, most prosperous, most respected, and happiest nation on earth.

We must seek the withdrawal of the United States from this insidious effort to involve the United States in entangling alliances which constantly draw the Nation into undeclared, un-Constitutional international conflicts.

Treaty-Making Power

In regards to treaties, the United States Constitution makes the following stipulations:

"No State shall enter into any Treaty, Alliance, or Confederation;..." (Article I, Section 10)

"He [the President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; ..." (Article 2, 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..." [the Section goes on to enumerate the scope of the power granted]. (Article III, Section 2)

“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;...” (Article VI)

In 1803, St. George Tucker, one of the preeminent constitutional scholars of the founding era of the United States, published his monumental work: *View of the Constitution of the United States*. In that volume, he painstakingly reviews the form of government created by the *United States Constitution*, the powers granted within that document, and the scope and limits within which each component of the government is to operate. In his writings, Tucker briefly touches upon the exercise of the treaty-making power, an area wherein the United States has strayed into dangerous territory in recent decades.

The danger lies in the false perception that by the power to make treaties, the Constitution can be modified or amended. This recent “interpretation” is that simply by having the President agree to, and the Senate ratify treaties with other nations (as required in Articles II and VI of the United States Constitution), the United States Constitution may be modified as though it had been amended by the process defined in Article V of the Constitution. Tucker is careful to note that such a position is wholly inconsistent with the intent and purposes specified within the Constitution, and that such a position or action would subvert and completely destroy the deliberative amendment process which is outlined in Article V of the Constitution.

Article V states that amendments to the Constitution occur when two thirds of both Houses of Congress have agreed on a proposed amendment, and three fourths of all States agree to those changes. Thereby, Congress may not change the Constitution without the concurrence of the people.

One of the prime foundational principles of the American experiment is found in the Declaration of Independence (“...it is the Right of the People to alter or to abolish” their government), and the people would be left out of any constitutional modification if it were allowed to occur with actions taken solely by the President and the Senate. George Washington touched upon this issue in his monumental *Farewell Address*, saying:

“This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government....

“If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in

one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.” (*Washington’s Farewell Address*, September 17, 1796. *Messages and Papers of the Presidents*, George Washington, Vol 1, Pg.205-216)

Tucker quotes a contemporary congressional resolution pertaining to the treaty making power of the President and Senate which notes their reservations to treaties which go beyond their view of the constitutional scope, and which would appear to require constraint :

“That when a treaty stipulates regulations on any of the subjects submitted by the Constitution to the power of Congress, it must depend for its execution, as to such stipulations, on a law or laws to be passed by Congress; and it is the constitutional right and duty of the House of Representatives, in all such cases, to deliberate on the expediency, or inexpediency, of carrying such treaty into effect, and to determine and act thereon, as in their judgment, may be most conducive to the public good.” (Resolution of the House of Representatives, April 6, 1796, Tucker, *View Pg 277*)

Tucker proceeds to note the impeccable logic of such a congressional position:

“ . . .A contrary construction would render the power of the President and Senate paramount to that of the whole Congress, even upon those subjects upon which every branch of Congress is, by the Constitution, required to deliberate. Let it be supposed, for example, that the President and Senate should stipulate by treaty with any foreign nation, that in case of war between that nation and any other, the United States should immediately declare against that nation: Can it be supposed that such a treaty would be so far the law of the land, as to take from the House of Representatives their constitutional right to deliberate on the expediency or inexpediency of such a declaration of war, and to determine and act thereon, according to their own judgment?” (Tucker, *View Pg. 277*)

It would seem today that Tucker’s prediction of the Nation being drawn into war without adhering to the Constitutional requirement of a congressional declaration of war was almost prophetic—in view of the numerous modern instances of that mantra being the national justification in so momentous a matter!

More succinctly, Thomas Jefferson makes the point:

“By the general power to make treaties, the Constitution must have intended to comprehend only those objects which are usually regulated by treaty and cannot be otherwise regulated. . . .It must have meant to except out of these the rights reserved to the states, for surely the President and Senate cannot do by treaty what the whole government is interdicted from doing in any way.” (Thomas Jefferson, *Writings of Thomas Jefferson*. *Manual of Parliamentary Practice*. Bergh 2:442. [1801])

Jefferson felt that the Constitution must be strictly held to the words written in the document:

“Our peculiar security is in the possession of a written Constitution. Let us not make it a blank paper by construction.

“I say the same as to the opinion of those who consider the grant of the treaty-making power as boundless. If it is, then we have no Constitution. If it has bounds, they can be no others than the definitions of the powers which that instrument gives. It specifies and delineates the operations permitted to the federal government, and gives all the powers necessary to carry these into execution. Whatever of these enumerated objects is proper for a law, Congress may make the law; whatever is proper to be executed by way of a treaty, the President and Senate may enter into the treaty; whatever is to be done by a judicial sentence, the judges may pass the sentence.” (Thomas Jefferson, *Writings of Thomas Jefferson*, Bergh 10:418-419. [1803])

As he debated the treaty making power which was granted to the President and Senate as found in the Constitution, James Madison addressed the logical limits to the treaty making power, and made this statement:

“Does it follow, because this power is given to Congress, that it is absolute and unlimited? I do not conceive that power is given to the President and Senate to dismember the empire, or to alienate any great, essential right. I do not think the whole legislative authority have this power. The exercise of the power must be consistent with the object of the delegation.” (James Madison, Jonathan Elliot, *Debates on the Adoption of the Federal Constitution*, Vol. 3, p.514)

The Founding Fathers of this Nation unquestionably felt that the power to make treaties did not embrace the power to modify the Constitution. In their view, the treaty-making power was a limited grant of power that could not undermine or destroy individual God-given rights, or the structure or framework of the limited, carefully defined government they established.

It is astonishing that in recent decades efforts to destroy the sovereignty of the Nation and the United States Constitution have been undertaken through the treaty process; and those efforts have been expanded through “Executive Agreements” which the President makes with foreign powers, and with “trade agreements” such as NAFTA, GATT, WTO, CAFTA which are not treaties (and which would have never passed the Senate by the required two-thirds vote had they been presented as treaties). None of these methods can modify the United States Constitution in any way, shape or form, but they are treated by those in power as having done so. Tragedy will follow if the Nation continues along this path.

The current false philosophy regarding treaty power, as promoted by those who would usurp authority within this Nation, will lead to the destruction of the United States Constitution and result in the loss of our liberty if the citizens of this Nation are not willing to expose and derail these attempts. Authority is not granted within the Constitution to de-construct the Constitutional authority of the land by treaty.

National Sovereignty

The United States is properly a free and sovereign republic which should strive to live in peace with all nations, without interfering in their internal affairs, and without permitting their interference in ours. We are, therefore, unalterably opposed to entangling alliances - via treaties, or any other form of commitment - which compromise our national sovereignty, or commit us to intervention in foreign wars.

To this end, we shall:

- steadfastly oppose American participation in any form of world government organization, including any world court under United Nations auspices;
- call upon the President, and Congress, to terminate United States membership in the United Nations, and its subsidiary organizations, and terminate U.S. participation in all so-called U.N. peace keeping operations;
- bar the United Nations, and its subsidiaries, from further operation, including raising of funds, on United States territory; and
- propose that the Constitution be obeyed to prohibit the United States government from entering any treaty, or other agreement, which makes any commitment of American military forces or tax money, compromises the sovereignty of the United States, or accomplishes a purpose properly the subject of domestic law. In this connection we specifically denounce the agreement establishing the proposed Free Trade Area of the Americas (FTAA) and any other such trade agreements, either bi-lateral or regional in nature. All treaties must be subordinate to the Constitution, since the Constitution is the only instrument which empowers and limits the federal government.

American troops must serve only under American commanders, not those of the United Nations or foreign countries.

Pacts and Agreements

Since World War II, the United States has increasingly played the undesirable role of an international policeman. Through our involvements abroad our country is being changed from a republic to a world empire in which our freedoms are being sacrificed on an altar of international involvement. The United States is now committed by treaty to defend foreign nations in all parts of the world, and by agreements other than treaties to defend more. Therefore, we call upon the President, and Congress, to immediately commence a systematic withdrawal from these treaties and agreements, each of which holds the potential to plunge America into war in some far-flung corner of the earth.

NATO, for instance, serves no defensive purpose for the United States, and this country should withdraw from it.

Unconstitutional, Undeclared Wars

Since World War II, the United States has been involved in tragic, unconstitutional, undeclared wars which cost our country the lives of many thousands of young Americans. These wars were the direct and foreseeable result of the bi-partisan interventionist policy of both Democrat and Republican administrations.

The Constitution Party is opposed to the continuation of the same interventionist policy, with that policy's capacity to involve our country in repeated wars.

We demand that:

- never again shall United States troops be employed on any foreign field of battle without a declaration of war by Congress, as required by the United States Constitution;
- Congress refuse to fund unconstitutional, undeclared wars pursuant to presidential whim or international obligations under which American sovereignty has been transferred to multi-national agencies.

Foreign Involvement

The Constitution Party has consistently opposed American involvement in conflicts in the Middle East, Africa, Asia, Europe, and Central and South America. The United States has no interest in these areas which would justify the sacrifice of Americans on foreign battlefields - nor is our country properly cast as a merchant of death in international arms races.

We propose that the United States

- repudiate any commitment, express or implied, to send U.S. troops to participate in foreign conflicts, whether unilaterally, under NATO auspices, or as a part of the United Nations "peace-keeping" operations; and
- cease financing, or arming of belligerents in the world's troubled areas.

We support the principle of the Monroe Doctrine, which expresses U.S. opposition to European adventurism in the Western Hemisphere.

We call upon the Congress to immediately terminate American military presence in all foreign countries where such U.S. presence constitutes an invitation for this nation to become involved in, or further participate in, foreign wars.

We are opposed to the negotiation or ratification of any treaty which would deprive United States citizens of their rights under the United States Constitution.

Foreign Aid

Συνχε Ωορλδ Ωαρ II, τηε Υνιτεδ Στατεσ ηασ ενγαγεδ ιν τηε γρεατεστ ιντερνατιοναλ γιωεαωαψ προγραμ επερ χονχειωεδ βψ μαν, ανδ ισ νοω σπενδινγ βιλλιονσ οφ δολλαρσ εαχη ψεαρ το αιδ φορει γν νατιονσ. Τηερε ισ νο χονστιτυτιοναλ βασισ φορ φορειγν αιδ. Τηεσε εξπενδιτυρεσ ηαωε ωον υσ

νο φριενδς, ανδ χονστιτυτε α μαφορ δραιν ον τηε ρεσουρχεσ οφ ουρ ταξπαψερσ. Τηερεφορε, ωε δεμανδ τηατ:

- no further funds be appropriated for any kind of foreign aid program;
- United States participation in international lending institutions, such as the World Bank and the International Monetary Fund, be ended;
- the Export-Import Bank be abolished;
- all government subsidies, tax preferences, and investment guarantees to encourage U.S. businesses to invest in foreign lands be immediately terminated; and
- all debts owed to the United States by foreign countries, or foreign entities, be collected.