

NULLIFICATION!®

Why and How

James Ronald Kennedy
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“The Union, next to our liberties most dear.” John C. Calhoun

“The first thing I have at heart is American liberty, the second is American Union.” Patrick Henry

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Nullification: Why and How

James Ronald Kennedy

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Intro: Nullification—Controlling the Federal Government

“We the people” now have Trillions of dollars of proof that the current tax, borrow, and spend Federal government is both out of control and uncontrollable—and it will remain so as long as “we the people” rely on traditional politics. The manner in which healthcare “reform” was rammed through Congress served as an awakening alarm to most taxpaying Americans. Despite polls showing massive voter disapproval of the legislation; despite numerous vocal town hall meetings; and despite massive nationwide Tea Party rallies “our” Federal government chose to ignore the will (consent) of “we the people” and impose its will upon its subjects—the once proud and free taxpaying citizen. In a free country the people exercise the final word as to the limits of governmental power—in our current political system “we the people” are ignored while the power elite in Washington, D.C. have become the executors of a supreme, all powerful, centralized, Federal government. Politics-as-usual got us to this point—politics-as-usual will not restore a constitutionally limited Federal government! By the time healthcare reform had been signed into law over 34 states had passed some form of legislation declaring their right to challenge the legitimacy of this onerous federal law. After more than a century of slumber the people of the Sovereign States are beginning to look again at nullification and States’ Rights as a means to control “our” Federal government.

Nullification—Why and How

The current unconstitutional system of Federal supremacy has produced the current out of control Federal government. The remainder of this book explains why nullification is an essential, unalienable right *and how we can reclaim this lost right.*

Chapter 1: Nullification—A Strategic Victory

One strategic victory is more valuable than scores of tactical victories! The logic of this maxim is understood by those who have studied the military history of the South's struggle in the War for Southern Independence. After the war one Confederate veteran explained the South's failure by declaring, "We just wore ourselves out whipping Yankees!" No doubt many glorious tactical victories were won, but when you are fighting a determined enemy who greatly outnumbers you in men and material, plus you are fighting the war in the enemy's preferred fashion, following his rules, then the outcome is predetermined—it is only a matter of time. The simple truth is that regardless of the struggle—a small, less organized group cannot win against a larger, more organized opponent when fighting in the conventional manner favored by the larger group. Mao understood this principle and applied it when he refused to fight General Chiang Kai-shek in a conventional war—instead he selected the strategy that forced his opponent to fight the war Mao wanted to fight. Mao's strategy was to fight an unconventional "protracted" conflict in which tactical success was less important than the strategic effort to "bleed" the enemy while winning the support of the masses. But what does this have to do with the Tea Party movement and other conservative efforts to protect our rights, liberty, and property from an oppressive, tax-and-spend Federal government?

Unfortunately the strategic victories have been won by those who favored an "energetic" federal government.

Going back to the ratification of the Constitution in 1789 those who favored local self-government and a constitutionally limited Federal government have won many important tactical victories; those who favored loose construction of the constitution in which crafty Federal judges could continually expand the powers of the Federal government at the expense of local self-government have also won important victories. Unfortunately the strategic victories have been won by those who favored an “energetic” Federal government. Those early and latter-day Federal supremacists used such extra-constitutional terms as “implied powers,” “judicial review,” “higher law,” “incorporation doctrine,” and “living constitution” to change the Constitution from a document that limited the powers of the Federal government into a document that limits and negates the rights reserved to “we the people.” As Thomas Jefferson lamented, the Constitution had become a thing of clay in the hands of the Federalists to mold in any fashion they desired. The failure of conservatives to enforce the protections provided by the Constitution has become especially clear in the last century, indeed the last one hundred years became a century of conservative failure. (*Reclaiming Liberty*, pp. 15-43.)

The rules of engagement are set by those who have a vested interest in maintaining “we the people” in a subservient position as vassals of America’s ruling elite.

The past one hundred years of failed conservative efforts should have taught us by now that if we keep doing the same things we have always done then we should not be surprised when we get the same results! The same results being more taxes, more

Federal regulations, more intrusive Federal court decisions, more inflation, less personal privacy, fewer personal liberties, fewer property rights, and worst of all, *more demoralizing conservative failures!* The lesson we should take away from the past one hundred years of conservative failure is that the political status quo is designed to favor those who want to maintain (Republicans) or expand (Democrats) big, centralized, oppressive government. The rules of engagement are set by those who have a vested interest in maintaining “we the people” in a subservient position as vassals of America’s ruling elite with little or no way of effectively resisting our masters in faraway Washington, D.C.

Yes, I know we (conservatives) have had many glorious tactical victories: In 1952 we took power away from FDR’s liberal Democrats; in 1968 we defeated LBJ’s handpicked liberal presidential candidate; in 1980 we elected Mr. Conservative, Ronald Reagan; in 1994 we enjoyed Newt Gingrich’s Contract with America; in 2001 we defeated Bill Clinton’s handpicked successor; yes, so many tactical victories, but in all of our victories we never rolled back big government, we never fundamentally changed the “energetic” and intrusive nature of the Federal government. When Bill Clinton declared that the day of big government was over, conservatives cheered, but Clinton and his liberal (nominal socialist) comrades smirked—because they knew that the leviathan of big government in all its monstrous power was still intact and ready to begin anew its

We need a new game with new rules, a game America’s political ruling elite do not want to play but one that “we the people” will force them to play!

forward march to their envisioned utopian socialist state as soon as the cheering was over. The very essence of the political status quo had not changed—let the conservatives cheer, it would not be long before the progressive movement toward a “fair and just” liberal (nominal socialist), supreme Federal state would continue. This has been the history of conservative political action: one step back toward constitutional government followed by three steps forward toward a supreme Federal nation-state similar to the European socialist model. As long as “we the people” play their game, according to their rules (and, don’t forget, the game is refereed by their judges), then we (or should I say liberty) will always lose. We need a new game with new rules, a game America’s political ruling elite do not want to play but one that “we the people” will force them to play! We need a game plan that will bring us a strategic victory that will forever change the status quo and return to “we the people” of each separate and distinct sovereign state the right to be the master in our own home—via local self-government and limited federalism.

The goal of the nullification movement—referred to hereafter as the Constitutionalist movement—is to present to the current political ruling elite a battle they have never before faced, a battle designed to favor our strength and to capitalize on their weakness. It will not be a traditional political campaign—that would be playing to their strength. Why? Because the political status quo is designed or structured in a fashion to assure its continuation plus to assure incumbency for those politicians who favor maintaining the political status quo.

Conservatives can choose to continue the same political efforts we have always used and in so doing, no doubt, gain some impressive tactical victories, but in the long

run the machinery of big government will always be in place ready to churn out more intrusive federalism as soon as conservatives once again self-destruct and return control back to America's nominal socialists.

Constitutionalists believe that government is in and of itself dangerous to human liberty and therefore must be limited—the only way to limit the Federal government is to pass a constitutional amendment acknowledging the right of “we the people” via our sovereign state to nullify unconstitutional Federal acts.

(*Nullifying Tyranny* pp. 164-6) With this amendment in place any act by the Federal government that “we the

people” within our sovereign state feel to be unconstitutional can be halted immediately!

For example, instead of wasting time and money trying to elect “good” conservatives (who for obvious reasons do not always remain “good” once elected) or protecting

Second Amendment rights or fighting for the right of the state to protect the lives of its

unborn citizens—all good fights but fights we have no chance of permanently winning—

instead of wearing ourselves out fighting good tactical battles—why not win one

strategic victory and change the status quo forever!

***Why not win one
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status quo
forever!***

Chapter 2: Political Slavery Enforced by the Political Status Quo

The past century has been a century of conservative failure when measured against the growth of big government and the destruction of individual rights. The champions of big government have been known as progressives, liberals, populists, and socialists.

The sad reality is that even when the supposed enemy of big government (the Republican Party) has held political power, even then government has continued to expand with increased taxes, oppressive regulations, court orders, and other unconstitutional intrusions while the personal liberty and property rights of the individual citizen have slowly eroded. America's ruling elite, both Republicans and Democrats, have a vested interest in maintaining the status quo—because it

provides them the perks, privileges, and power they enjoy! (*Reclaiming Liberty*, pp. 15-43.) If the status quo changes, then the ruling elite will be forced to join the rest of the productive people in America and gain their living the old-fashioned way—by working! You can rest assured that after spending their entire “careers” living off the public the last thing the ruling elite want is to see the status quo changed into a system in which the rights, liberty, and property of the productive citizen is protected from Federal tax collectors and bureaucrats.

The last thing the ruling elite want to see is the status quo changed into a system where the rights, liberty, and property of the productive citizen is protected from federal tax collectors.

A recent study of the income of elected members of Congress determined that there were more than 230 millionaires sitting in Congress enacting laws that the average American must obey. How can millionaires relate to the needs, wants, fears, and aspirations of average people? The truth is, they cannot! The truth is that, as they have demonstrated during various town hall meetings, the ruling elite hold “we the people” in contempt! They feel that “we the people” must accept the fact that their superior wisdom and political status qualify them to be our political masters. They decide what is best for us, our children, our family and community, and we must meekly and gratefully accept their infallible decisions. They have determined the limited scope of our political responsibilities—“we the people” must listen up, pay up, and never act up!

The total disdain of the ruling elite for the old system of limited government was best demonstrated when a reporter asked House Majority Leader Nancy Pelosi where in the Constitution the Federal government was granted the right to require American citizens to purchase health insurance? Her reply was to brush off the reporter’s question and arrogantly mumble, “You’ve got to be kidding!” Later her press secretary issued a statement declaring that such questions were irrelevant. It should be evident that while “we the people” still believe in the Constitution as a document that was intended to protect our inalienable rights, America’s ruling elite do not share our affinity for the Constitution or the rights reserved to “we the people” by that venerable document.

Many Americans were amazed to hear presidential candidate Barack Obama instruct “Joe the Plumber” that redistributing “Joe’s” wealth via government programs was necessary in order to produce a fair and just America. Compare this statement with

Thomas Jefferson's description of a fair and just Federal government, "...a frugal government...[that] shall not take from the mouth of labor the bread it has earned." (*Was Jefferson Davis Right?* pp. 229-30.) Under the Jeffersonian model of limited federalism Americans were free men and women, but under the nominal socialist order foisted upon Americans by the political status quo Americans have become political slaves.

The determination of America's ruling elite to maintain "we the people" as political slaves is demonstrated in their efforts to re-enact some form of the "fairness" doctrine. No one can honestly challenge the fact that this is merely an effort to silence talk radio, which has become a constant irritant for the ruling elite and a source of encouragement for "we the people." Also, it is no coincidence that suddenly the ruling elite have discovered that the Internet poses a risk to America and should be controlled by Homeland Security (or some such Federal bureaucracy) to make sure foreign or domestic terrorists do not use it to harm defenseless Americans. No doubt such Federal control would have a chilling effect on conservative blogs and opinion e-journalists. Despite all their protestations regarding their motives, "we the people" know that the real aim of the political ruling elite is to make sure America's political slaves are kept docile, humble, and obedient to their masters' wishes. They fear anything that might encourage a slave uprising and do everything they can to destroy or at least control precursors to such an uprising.

***America's
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America's political status quo has reduced "we the people" to virtual political slaves. The political status quo is composed of many elements. One of its most important elements is the politically correct national educational establishment. America's educational system serves as the primary means to propagandize American young people and mold them into politically correct subjects of the Federal Empire. The Federal Empire is the corporate body that makes up America's political status quo. It is called an "empire" because we live in an era of Federal supremacy—the Federal government alone is the judge of the extent of its powers; the Federal government is limited only by those rules that it alone elects to follow—what tyrant has had more discretion to the exercise of his authority? Just to reiterate, this was not the original intention of America's founding fathers when they established a constitutionally limited Federal republic of republics called the United States of America. (*Why Not Freedom!* pp. 23-32.)

The politically correct educational establishment is controlled by individuals who, by a vast majority, hold in contempt conservative values and relay this impression to their students (our children) all the while being paid by monies extorted from conservative taxpayers! "We the people" are being forced to pay to have our children taught to hate the social, moral, and political values of their parents! Even if we decide to pay extra to send our children to a private school, college, or university, it makes little difference! Why? Because the teachers in private schools, colleges, and universities have all been well indoctrinated at politically correct universities—with few exceptions instructors in private schools, colleges, and universities teach the same politically correct gospel they were taught. The politically correct game plan is to maintain the

political status quo while using the unstoppable power of the Federal Empire to correct via more government programs those social maladies nominal socialists blame on our once free system of government.

A key factor in maintaining America's political status quo—and thereby keeping “we the people” as political slaves—is the effective use of mass democracy by the ruling elite. Obviously hard-working, law-abiding, taxpaying, moral citizens would not vote to keep themselves in a condition of political slavery. The ruling elite know that if they pack the voting rolls with people who

have little ability to understand the impact of their vote *and* who have a vested interest in seeing the continuation and expansion of government programs, then those voters can be organized and faithfully marshaled to the voting booths each election. This will assure election or incumbency for those politicians seeking to redistribute the wealth, or at least those politicians who will not challenge the existence of the political status quo.

Thus we have seen the Federal government deny “we the people” of the once sovereign state the right to establish non-arbitrary qualifications for voting; the enacting of Federal motor voter and welfare check voter registration laws; and more recently efforts to allow illegal immigrants access to the ballot box! This system of “democracy” is what our founding fathers feared and attempted to avoid—many referred to it as “mobocracy.” (*Reclaiming Liberty*, pp. 115-25.)

This system of “democracy” is what our founding fathers feared and attempted to avoid. Many referred to it as “mobocracy.”

The ruling elite's apparent desire to assist illegal immigration is another way by which they are using their unconstitutional control of the Federal government to maintain their rule over the productive citizens—sometimes herein referred to as “we the people.” Who benefits from the flood of illegal immigration? America's productive citizens are taxed to pay for the social benefits illegal immigrants consume, not to mention the added cost and social insecurity caused by the criminal element that flows across our open borders. Therefore, it is clear that “we the people” do not benefit. The benefactors are the ruling elite who see a huge increase in the pool of potential voters who will be used in America's current mass democracy to maintain their domination over productive citizens. It is important to note that the flow of illegal immigrants is coming from a society that is historically invested in populist and socialist ideology. In other words, it is reasonable to presume that when these people finally obtain the “right,” as opposed to the privilege, of voting, they will cast their ballot in favor of those candidates who propose familiar populist and socialist social programs—what a win for America's nominal socialist ruling elite! What would be the reaction of the ruling elite if the open borders were allowing in illegal immigrants who were from a country in which the people were highly favorable toward a system of limited government and free-market capitalism? Do you think the ruling elite would be nearly as enthusiastic about illegal immigrants if they knew full well that as soon as these immigrants became voters they would join with “we the people” and vote the nominal socialists out of office? Of course not! Again, we have yet another indication that “we the people” are indeed held in political slavery by our masters in Washington, D. C.—a condition that would be

impossible if it were not for the power granted to the ruling elite by America's political status quo.

The political status quo provides the ruling elite—nominal socialists all, whether Republican or Democrat—with the means to subject productive citizens to their oppressive rule. Politicians of both national political parties use the Federal government to buy re-election by actual or implied promises to redistribute our wealth to their favored special interest groups. The distribution of government benefits to favored special interest groups is accomplished via programs delivering corporate welfare, social welfare, Social Security, financial bailouts to favored financial/Wall Street firms, and promises of health care reform. It was not by accident that during the worst economic slowdown since the Great Depression—and while millions of Americans lost their jobs and millions of other Americans were in fear of losing their jobs—the greatest growth industry and the busiest section of America's non-governmental economy was Washington, D.C., lobbyists!

While “we the people” may now be the political slaves of our masters in Washington, D. C., our children and grandchildren are destined to become the indentured servants to the rising generations of Communist China—the country that now holds the mortgage on the once great USA. The political status quo has brought us thus far—it is truly foolish to think “we the people” can rely on this current political system to cure the very disaster it created!

Chapter 3: Who Are the Proponents of America's Political Status Quo?

All systems of political governance are designed to serve specific groups of people. For example, the government of Great Britain from which the American colonies seceded in 1776 served the king, his Royal Court, and those politicians and bureaucrats who comprised the king's government. The exercise of government's legal monopoly on force and coercion (think of the government's tax collector) is a power that brings with it the potential for great personal aggrandizement—wealth, power, and privilege derived with little or no investment and risk. In America's original system of constitutionally limited federalism the Federal government was designed to perform specific and limited functions that the people within their individual states felt could be done more efficiently by an agent of all states as opposed to each state attempting to perform those functions individually. Fearing the natural tendency of those who control government to abuse their powers, the founding fathers designed a system of federalism that would hopefully limit the ability of politicians, bureaucrats, and those with connections to the source of governmental power from gaining wealth at the expense of "we the people" who bear the tax burden of government but have no close connection with the source of governmental power.

Unfortunately, the efforts of the founding fathers to prevent the Federal government from becoming a large, centralized, all-powerful government that would be used for the benefit of those in power and to the detriment of "we the people" has become a complete failure! Can anyone truly assert that the majority or even a large minority of the founding fathers would have agreed to TARP bailouts or the nationalization of the banking or automobile industry? Can anyone truly assert that the

founding fathers would have accepted the idea that the Federal courts could nullify the right of “we the people” within our sovereign state to determine when human life begins and to use our state’s power to protect human life? The list could go on almost indefinitely. The important point is to note that “we the people” today suffer under an abusive government the likes of which our founding fathers specifically intended to avoid when they established America’s Federal government via the Original Constitution. In the tradition of “follow the money” to find the source of fraud and corruption we must now ask, “Who benefits from this massive tax-and-spend Federal government?”

The concept of “career” politician was unthinkable to the founding fathers!

America today, just like King George’s Great Britain of 1776, has a ruling elite who benefit from the perks, privileges, and power of a supreme Federal government (supreme because no one other than the Federal government itself can limit the unbridled exercise of Federal power). America’s ruling elite is composed of politicians, liberal and conservative, Republican and Democrat. America’s ruling elite is composed of “career” politicians who gain their wealth and power from the current political system (the political status quo) and therefore have a vested interest in first and foremost maintaining the political status quo. The concept of a “career” politician was unthinkable to the founding fathers! The founding fathers viewed political office as a duty to be fulfilled, not as a profession to be pursued. (*Nullifying Tyranny, pp.95-7*)

Career politicians in Washington, D.C., form close unions with large financial institutions, especially those on Wall Street. Many conservatives were surprised to see so many supporters and so much money donated to the Obama campaign from the Wall Street “crowd.” But the investment paid off—

not for “we the people” who must eventually pay the bill, but it did indeed pay off for the Wall Street crowd! The main purpose of first the Bush (Republican) and then the Obama (Democrat) bailouts was to “save” financial institutions that had made poor business decisions—decisions made at the behest and encouragement of the Federal government in preceding years. These “poor” business decisions would have never been made in the first place had not the Federal government used its power to require subprime loans or to imply that the Federal government would “bail out”

financial institutions if (when) subprime mortgage holders defaulted on their loans. In addition, the Federal government’s central bank (the Federal Reserve aka the Fed) reduced the interest rate it charges these institutions—creating credit out of thin air—no savings required—thereby stimulating an economic boom which eventually develops into an economic bubble. During the boom phase the ruling elite gladly take credit for the economic good times, but eventually these poor investments turn into an economic bust. When the bust happens “we the people” lose a large portion of the wealth in our

The main purpose of first Bush (Republican) and then Obama (Democrat) bailouts were to “save” financial institutions that made poor business decisions—decisions made at the behest and encouragement of the federal government.

401ks and other investments. Of course when the bust arrives, the ruling elite refuse to acknowledge the bust as their fault. The fault for the economic bust, according to the ruling elite, lies with the free market! And of course that means more government regulations and taxes to pay for the fix.

What a scheme! The ruling elite take credit for the economic good times during the economic boom caused by massive poor investments they encouraged in the first place, but when the boom turns into a bust, as all governmentally inspired booms must eventually do, then the ruling elite slyly shift the blame to the free market. (Remember, in a free market such massive poor investments—referred to as “malinvestments” by an Austrian economist—would never have occurred.) The ruling elite then graciously offer to relieve the sufferings of “we the people” by passing more intrusive Federal regulations to cure “market failures” and of course taxes to pay for the economic “fix.” And the cycle repeats itself with similar results—the ruling elite’s power increases, and those with close connections to the ruling elite are financially rewarded. But “we the people” are the ones who must pay the bill via increased taxes, loss of wealth via “market” adjustments during the bust, lost income via recessionary unemployment, and inflation via the Fed’s creation of unsupported credit and the printing of fiat currency. (*Reclaiming Liberty*, pp. 127-45.)

The Wall Street crowd is not the only group that is closely connected with the ruling elite. The political status quo provides many symbiotic opportunities that are seldom missed. The following are examples of special interest groups that have formed

symbiotic relationships with the ruling elite:

1. *The Federal Reserve* (Money created out of thin air paid for via inflation.)
2. *Corporate welfare recipients* (Recall that Enron provided large “donations” to both Republican and Democratic causes—in exchange for who knows what, but it is certain that the crafty business leaders of that now defunct organization did not make their investment out of a sense of charity!)
3. *Social welfare recipients* (ACORN is but one of many such leftist organizations using our money to work against the interests of productive, taxpaying Americans.)
4. *Government contractors* (Quality and price are not as important as political connections.)
5. *Leftist pressure groups* (ACLU, Urban League, NAACP, SEIU, various green groups, etc.)
6. *Education establishment* (Groups such as the NEA and university administrators expect and receive significant payback for their role of maintaining America’s unofficial, politically correct, leftist indoctrination centers.)
7. *Mainline media* (Leftist politically correct broadcasting is the cost for access to the ruling elite—recall how the Obama administration attempted to punish Fox News for its failure to follow the leftist “party line.”)
8. *State and local politicians* (With a few notable exceptions state and local politicians are the ruling elite’s unwilling dupes, at best, or in most cases ambitious party people seeking to climb the political ladder in order to join the ranks of the ruling elite in Washington, D.C. They have no idea and care not the least that the first and primary role of the sovereign state in America’s original constitutionally limited republic of republics was to serve as the ultimate defender of the rights and liberties reserved under the Constitution by “we the people.” The state’s primary role was to protect the people from an unconstitutional, abusive, exploitive, Federal government.)

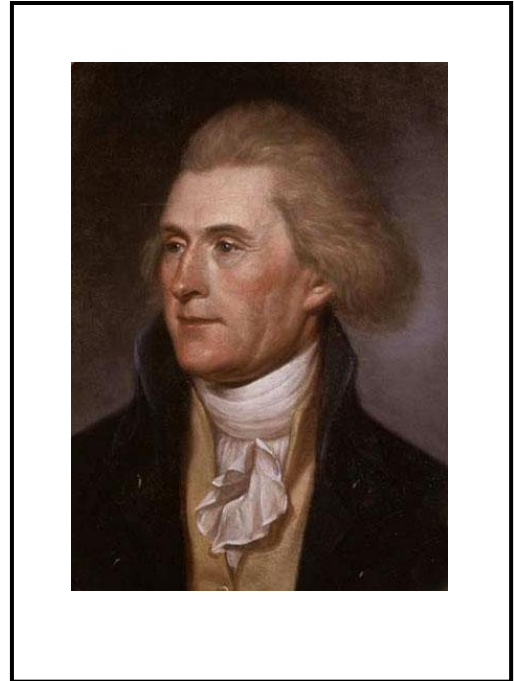
All decisions made by the ruling elite are political decisions—their primary concerns are to maintain the status quo and incumbency.

The political status quo is managed by America’s ruling elite. The ruling elite use their powerful political positions to benefit those who provide money, privilege, or votes for the ruling elite. All decisions made by the ruling elite are political decisions—their

primary concerns are to maintain the political status quo and incumbency. The current system of American political governance is very lucrative, not only for the ruling elite, but also for those corporations and leftist social organizations loyal to the ruling elite. These loyal friends of the ruling elite share the elite's desire to maintain the status quo. Why? Because it is very lucrative—follow the money and don't forget whose money you are following!

Chapter 4: Who Pays for the Political Status Quo?

President Thomas Jefferson noted that the Federal government should be a “frugal” government, a government so small that its taxing policies would put such a light burden on the common man that it would be hardly noticed. Jefferson believed that heavy taxation by the Federal government would be the equivalent to the government taking “the bread from the mouth of labor.” Today the average taxpaying American spends between four to six months each year working to pay his direct and indirect taxes! Big government has turned once free individuals into Uncle Sam’s tax slaves! (*Reclaiming Liberty*, pp. 163-83.)



Patrick Henry, America’s leading Anti-Federalist, warned Americans of his day about the potential dangers of the Federal government as outlined in the constitution submitted to the sovereign states in 1787 for their ratification or rejection. Of his many concerns one stood out. He was very concerned about the new taxing authority granted the Federal government. He foresaw in prophetic fashion the day when a militant faction would seize control of the Federal government and use its taxing powers to enrich themselves and their political allies. Former Vice President and Senator John C. Calhoun (1840s) warned that the day would come when those who consumed tax revenues would outnumber, and therefore outvote, those who were forced to pay the

taxes. Patrick Henry's fearful prediction came true in America by the early 1840s when 75 percent of the tax burden to fund the Federal government was paid by six agricultural (Southern) states! To add insult to injury, the "internal" improvements funded by the Federal taxes primarily benefited non-agricultural states! This was a boon to the industrial states, but Federal taxes were slowly bleeding the economic vitality out of the agricultural states. This is why President Abraham Lincoln declared, "Where then shall we gain our revenues?" when he was asked, "Why not just let the South go?" (*The South Was Right!* pp. 49, 52.)

The political status quo is designed to maintain a system of government in which the ruling elite and those with close connections to the ruling elite prosper at the expense of the average taxpaying American.

America's political elite use the current system of supreme federalism to force "we the people" to fund their system of political spoils. It is a system in which the ruling elite dispense Federal dollars to those corporations and special interest groups that provide money or votes needed to enrich the elite while assuring their incumbency. When was the last time you heard of a politician leaving Washington, D.C., with less personal wealth than when he first arrived? The political status quo is designed to maintain a system of government in which the ruling elite and those with close connections to the ruling elite prosper at the expense of the average taxpaying American—the forgotten man, the one who pays the bills but has no effective way to control "his" government!

Guess Who Pays the Direct Tax Needed to Fund the Political Status Quo

The Federal tax burden funded by “we the people” was relatively small at the beginning of the last century—but even that level was far greater than the “frugal” Federal government envisioned by President Thomas Jefferson. In 1900 total Federal tax revenues amounted to only 3 percent of America’s Gross Domestic Product (GDP). The following numbers document how the percentage continued to climb through the century:

1900	3%
1925	9.4%
1950	14.4%
1975	19%
2000	20.8%

These numbers are basically cold and removed from the average person’s day-to-day life, and therefore we tend to ignore the gradual enslavement our political masters have fixed upon us. The following numbers demonstrate the impact the growth in big government has had on individual Americans—men, women, and children. The numbers represent the total yearly Federal tax burden per capita—not just the breadwinner, but every American—man, woman, and child:

1900	\$151
1925	\$401
1950	\$2,139
1975	\$4,430
2000	\$7,668

If you are wondering why it takes two parents working full time to pay the bills—look no further than your local IRS office! These numbers also explain why so many families find it hard to afford health care—when Uncle Sam has first claim on the fruits of his subjects' productive labor (wages and salaries) the take-home pay tends to diminish to the point where “my take-home pay is not enough to take me home!” Tax freedom day, the point in the year in which the taxpayer has worked enough to pay his direct tax burden and therefore can begin to earn a living for himself and his family, in modern America now is somewhere between April and May. That means that you and I must work four to five months for the benefit of the ruling elite—the very essence of involuntary servitude—we are indeed Uncle Sam's tax slaves. But there is more—this takes into account only the direct taxes we must pay.

Large New York banking and financial institutions are a key element in the political status quo.

Guess Who Pays the Indirect Tax Needed to Finance the Political Status Quo

Despite what some people may think, politicians really do not like to pass new taxes or increase existing taxes. The reason is that increasing the public's tax burden is fraught with too many political uncertainties—the primary being a tax revolt during the next election. New taxes must be publicly introduced, debated, and then a permanent vote is recorded documenting the politicians' willingness to deprive the average person of his private property or income via increased taxation. A better way (better for the ruling elite, not for working Americans) is to borrow the money needed to finance Federal “redistribution” of the productive man's wealth. Eventually this debt is paid by

printing unsound paper money (paper with nothing of intrinsic value to back it). We all know that nothing is free—this includes government paper money. The cost of this Federal debt is eventually paid for via inflation. (*Reclaiming Liberty*, pp. 127-45.)

Large New York banking and financial institutions are a key element in the political status quo. They receive great financial benefit from their close connections with the ruling elite. They depend on the Federal Reserve to provide them with low-interest money to lend and to stand behind their unsound financial deals and bail them out when the business bubble bursts—after all, they are too big to fail! The ruling elite depend on the Federal Reserve to support the elite’s friends on Wall Street while “managing” inflation. Because inflation is a cost of printing unsound paper money, used to pay for government programs, it is in fact an indirect tax on productive citizens—people who have no one in Washington, D.C., looking out for their interests. The Constitution requires that all taxes originate in the House of Representatives, be approved by both Houses of Congress, and then be signed into law by the president. But the ruling elite use inflation as an indirect way to extort wealth from productive citizens and then “redistribute” the wealth to the ruling elite’s clientele in the form of corporate and social welfare. Federal debt financed by printing unsound paper money that creates inflation that then leads to loss of the average person’s wealth is an unconstitutional taking of private property by the Federal government. But, unconstitutional or not, who has the power to challenge the unconstitutional acts of the ruling elite? Added to this problem is the fact that the debt is so great that it cannot be paid by the generation creating the debt and is therefore an immoral and illegitimate taxation without representation of generations of unborn Americans!

The political status quo works for the benefit of the ruling elite. The current system of political control is designed to assure the survival of the status quo and favor incumbency. A fundamental change in the current system of political rule in America will never occur if we continue to engage in traditional political campaigns. The current system is not only corrupted, it is also corrupting—that is, it corrupts

even “good” people once they are elected into the most exclusive club in America—the ruling elite. The Constitutionalist movement is the only way to change the status quo and return power to “we the people” within our sovereign state.

***Nullification is the
ONLY solution!***

*A fundamental change
in the current system
of political rule in
America will never
occur if we continue to
engage in traditional
political campaigns.*

Chapter 5: Social Parasites v. Productive Citizens

Human efforts to gain wealth or income are basically either productive or parasitic. There are essentially only two ways for human beings to gain income and wealth: (1) through voluntary exchange in the market place in which one individual exchanges something of value he possesses with another individual who likewise exchanges something of value he possesses (for example, the exchange of labor for wages) and (2) by extortion in which one individual uses force or the threat of force to seize something of value from another individual (for example, criminal acts or “taking” via government).

Exchanges in the free market require voluntary cooperation between productive individuals and as such tend to encourage human tolerance, understanding, and civility.

Productive acts are those in which individual income is derived; which leads to individual wealth accumulation; which increases society’s store of capital; which leads to a general increase in social wealth; which lifts the living standards for society as a whole. All these activities are accomplished voluntarily between free individuals, each working for his own benefit—sometimes referred to as “enlightened self-interest.” Note that government is not needed to “jump-start” this activity, nor is it needed to “regulate and assure a fair market place.” Also note that the exchanges in the free market are done without compulsion or threat of compulsion, and both parties to the exchange are better off after the exchange than they were before the exchange. Exchanges in the free market require voluntary cooperation between productive individuals, and as such tend to encourage human

tolerance, understanding, and civility. This view, the idea that free enterprise is not just about making money, is seldom explained when politically correct, leftist professors propagandize our children in taxpayer-funded universities.

Parasitic acts are those in which individuals use force or the threat of force to gain their income and wealth. In the case of criminal acts it is easy to understand what happens. The criminal sneaks up behind a person, sticks a gun in his back, and demands, “Your money or your life.” An exchange or redistribution of wealth occurs, but it is done under compulsion, and while one side (the criminal) gains something of value, the other side (the victim) gains nothing and actually loses something of value he had honestly earned. Preventing criminal activity is the primary justification for the establishment of government. Unfortunately, government is like a two-edged sword—while it can help to control and punish criminal activity, it also has within itself the tendency to abuse its powers for the benefit of those who control it and to the detriment of those who are forced to pay for it. (*Nullifying Tyranny*, pp.33-9) In other words, people who control or work for government can in many cases do things to their fellow humans who are not part of government that would be considered criminal acts outside of the protective cloak of government. Take for example the “taking” of private wealth by the tax collector, eminent domain, or unfunded Federal mandates, guidelines, and court orders.

As mentioned earlier, Americans were warned about a future in which the tax consumer outvotes the taxpayer and realizes that he (the tax consumer) can use his control of government to “legally” loot (redistribute) the wealth of the productive citizen. This has been described as the tipping point of a democracy—the point at which the

wealth-producing engine of the free market is destroyed by intrusive acts of government. When private property is no longer safe from arbitrary governmental exploitation, and compulsion replaces voluntary exchange then freedom dies, society's economy stagnates, and all are eventually impoverished and enslaved.

The important thing for “we the people” to recognize is that America's political status quo is designed to serve society's parasitic elements by exploiting society's productive element under the euphemism of “redistributing wealth.” As long as “we the people” play by the rules established by

the ruling elite, we will always lose! The ruling elite have designed a system that encourages and facilitates the development of leftist voting blocks. The ruling elite use wealth extorted from productive citizens to reward the parasitic elements for voting for left-wing, nominal socialist, political candidates.

Expanding the role of government is the primary function of the Democratic wing of the political status quo. But, you may ask, what about the Republican wing of the political status quo? Republican-elected officials within the Washington, D.C., Beltway; state-elected Republican officials yearning to join the exclusive club in Washington; and the Republican state/national party leadership all serve to provide cover for Democrats who are actively expanding the role and scope of the Federal government. Republicans provide cover by providing the mirage of being the opposition party! In reality they only oppose the efforts of the Democrats to control the reins of Federal power—Republicans

America's political status quo is designed to serve society's parasitic elements by exploiting society's productive element.

do not oppose the concept of an all-powerful, centralized Federal government (the status quo) that has complete control of “we the people” within our once sovereign states. Republicans, just like Democrats, have a vested interest in preserving the status quo from which they gain their perks, privileges, and power. The past one hundred years of American political history was a century of conservative failure—not because “we the people” were not up to the task of fighting to preserve our rights and liberties, but because the Republican Party was more interested in gaining and maintaining their turn at controlling the power of government than they were in rolling back

Both liberal Democrat and conservative Republican politicians and party bosses have a vested interest in preserving the political status quo.

unconstitutional Federal encroachments upon the rights reserved to “we the people.” For more than a hundred years conservatives in general and Republicans specifically have never initiated a political movement that resulted in a *fundamental* reduction in the size and scope of the Federal government. (*Reclaiming Liberty*, pp. 15-43.) The productive element gets Republican “conservative” rhetoric, while the parasitic element gets our “redistributed” wealth! Again, always keep in mind the fact that Republican-elected officials do not want to significantly reduce the size and scope of government—they only want their turn at the head of the Federal Empire. Both liberal Democrat and conservative Republican politicians and party bosses have a vested interest in preserving the political status quo.

Why have “we the people” allowed the continuation of a political system designed to benefit parasitic elements by extorting wealth from honest, hard-working, taxpaying Americans? The answer is that those who control the status quo have many effective ways to keep “we the people” in line. Consider the use of public humiliation and slander to silence criticism of the political elite or their protected minions. Recall the slander heaped upon the white Lacrosse players at Duke University when a black prostitute charged them with rape. Anyone who dared to question the allegations leveled against these white students was immediately smeared with the tar brush of racism. These students were abandoned and then attacked, indirectly if not directly, by their coach and then by their university (a taxpayer-funded university). This was an extreme example, but the politically correct principle holds true: “If a conservative speaks out against or even questions acts or allegations of Federally ‘protected’ minorities, then that conservative will be branded by left-wing political spokesmen and the mainline (leftist) media as a vile racist.” The Republican Party “boys” and “girls” know this and therefore are loath to involve themselves in any debate or effort that would result in their becoming social pariahs among the powerful Beltway and Hollywood crowd. For the Republican Party it is far more important to maintain the status quo while assuring incumbency than it is to stand up for the

The only way to fundamentally change the political status quo is to reclaim the right reserved to “we the people” in the original Constitution to nullify unconstitutional acts of the federal government.

interests, rights, and liberties of unorganized productive people—or in this example, the children of productive people.

As Constitutionals we understand that no political party or politician who owes allegiance to the political status quo will ever produce a *fundamental* change in the political status quo—a status quo that is extremely beneficial to those in power but also extremely harmful to the liberty and wealth of “we the people.” The ruling elite, both Democrat and Republican, will never do anything that would *essentially* change the nature of the Federal system that provides them with boundless perks, privileges, and power! Their power and position rely upon a political system founded upon a supreme Federal government. Anything that challenges the power of the supreme Federal government is in itself a challenge to their personal power and position. The only way to fundamentally change the political status quo is to reclaim the right reserved to “we the people” in the Original Constitution to nullify unconstitutional acts of the Federal government. (*Reclaiming Liberty, Nullifying Tyranny, or Why Not Freedom!*) The Constitutionalist Revolution is the only way for “conservatives” to win a strategic victory over those who would use a supreme Federal government to enrich the ruling elite and those with close connections to the ruling elite. Absent a strategic victory our liberties, freedoms, income, and moral society will never be safe and in short order all will be lost.

Chapter 6: America's Original Constitutionally Limited Federal Government

Most Americans and, even sadder, most conservatives are shocked the first time they hear Constitutionalists insist that “we the people” have the right, through our sovereign state, to be the final arbiter of questions regarding the constitutionality of Federal acts. The assertion of this vital reserved right would not have shocked our founding fathers. The fact that even few conservatives have heard this reserved right proclaimed is evidence of how completely successful the Federal supremacists’ efforts to propagandize “we the people” have been.

The fallacy that the Constitution, the separation of powers, and democratic elections are the only means “we the people” have to protect and preserve our rights, liberties, and property has been explored and explained in other works (*Reclaiming Liberty, Nullifying Tyranny, Why Not Freedom!*) and will not be repeated here. A short review will be sufficient to establish the presumption of the right reserved under the Original Constitution of “we the people” to nullify any act of our agent, the Federal government, that is not “pursuant” to the Original Constitution or is harmful to the people of a sovereign state.

The Constitution is a contract between sovereign states in which “we the people” within our specific state agreed to create an agent of the states to do those things that the state acting alone could not do. The majority of the language of the Constitution is used to define what the agent of the states—the Federal government—could not do! The states, acting on the directions of their citizens, were very concerned that this new Federal government would morph into a centralized tyranny similar to the one in London

from which they had recently seceded—they were determined not to create an all-powerful government that would once again threaten the liberties of “we the people.”

When the proposed constitution was submitted to the individual states for their independent acceptance or rejection, the

Constitutionalists were in a majority in most states.

The writing of the *Federalist Papers* was an effort of the Federalists to allay the fears of “we the people” in order to obtain sufficient votes within nine states, thereby securing adoption of the

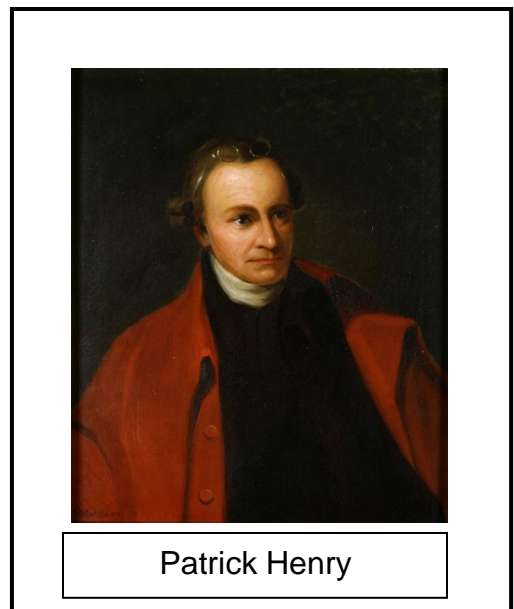
constitution. But note that even when nine states voted to adopt the new constitution, the new constitution would be binding only upon those nine states adopting the new constitution. Each sovereign state was free and independent and therefore could not be compelled by the other states to accept a government that did not have the consent of the governed within that sovereign state.

State Sovereignty is the ultimate bulwark against federal tyranny.

State sovereignty is the ultimate bulwark against Federal tyranny. Our founding fathers understood this truth and accepted it as a “given.” Today we live in the era of Federal supremacy and find it difficult to conceive of an American political society in which “we the people” through our sovereign state would be the final judge as to whether the Federal government has the right or authority to encroach upon our rights, liberties, or property. But such a society did once exist. It existed because the founding fathers and the generations immediately following them understood the history of American liberty.

Political sovereignty in America is original only to the states—the Federal government has no original sovereignty! Great Britain recognized the freedom and independence of the Original Thirteen Colonies in the Treaty of Paris (1783). This freedom and independence (sovereignty) was not granted to the United States of America but to each individual sovereign state, each being named in the treaty. The sovereign states preceded the formation of the United States of America despite what Abraham Lincoln and Adolf Hitler claimed! (*Lincoln's Marxists*,) In the Articles of Confederation, which formed the Federal government prior to the adoption of the constitution, each state maintained (reserved) its “freedom, independence” so recently won from Great Britain. When the constitution was offered to the states in 1787, the Anti-Federalists were determined that the powers delegated—as opposed to surrendered—to the Federal government would be specifically limited in nature, thereby preventing it from abusing its conditional grant of power.

Patrick Henry was a leading Anti-Federalist of his day. He could not be convinced that the new Federal government would be controlled by the mere parchment barricade of the Constitution. He warned that it would be foolish to believe that the new power to tax would not eventually be used by the commercial majority to the detriment of the agricultural minority. History has proven Patrick Henry to be a better prophet than his Federalist counterparts. Even James Madison,



who was a Federalist during the ratification debates, recognized the probability that such power if not defended against would be used to exploit some for the benefit of those in power: “Where there is power, and will to use it, wrong will be done.” The Anti-Federalists understood that the Federal government could not be counted on to always appropriately discipline itself—they looked to the sovereign state as the final arbiter of Federal authority, the final defense of personal liberty.

President Thomas Jefferson extolled the vital function of the sovereign state as the ultimate defender of liberty in his first inaugural address. He described the essential principles of American government “the support of state governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies.” (*Was Jefferson Davis Right?* p. 229.) President Thomas Jefferson decried the efforts of Alexander Hamilton and Federal Supreme Court Chief Justice John Marshal to turn the Federal government into “a single and splendid government” that would be used by the commercial interests to extort money from farmers and small business owners for the benefit of special interest groups who had close connections with the ruling elite of the day who controlled the Federal government.

One of the strongest proofs of the original and continuing sovereignty of states in the American Union can be found in the language used by New York and Virginia when they independently ratified the Constitution. As sovereign states they conditionally adopted the new Constitution—the condition of their adoption was that they reserved the right to withdraw (secede) from the Union if the powers delegated to the Federal

government via the Constitution should ever be used to the detriment of the people within their sovereign states! Read for yourself the language of Virginia's ratification:

We, the delegates of the people of Virginia, duly elected,...in behalf of the people of Virginia, declare and make known, that the powers granted under the Constitution, being derived from the people of the United States, may be resumed by them, whensoever the same shall be perverted to their injury or oppression; and that every power not granted thereby, remains with them and at their will: that, therefore, no right, of any denomination, can be canceled, abridged, restrained or modified. (*The South Was Right!* p. 162.)

New York's ratification language was very similar. Not every state was so cautious, because at that time it was a "given" that each state had the right to withdraw from a union into which it had voluntarily acceded. The general acceptance of these states' conditional ratification is evidence that all states understood that the Constitution created a voluntary union of free, independent, and sovereign states, each state having the sovereign power to enter into an agreement with co-equal states if such agreement benefited the state or to leave the agreement if it became a detriment to the state.

The Original Constitution created a limited Federal government. The sovereign states through a compact styled the Constitution of the United States created an agent to serve the will of "we the people" within our respective sovereign states. The Federal government created by the acts of sovereign states was not intended to be a

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centralized, all-powerful, national government. The government created by the sovereign states when they ratified the Constitution was a limited republic of republics called the United States of America. As Constitutionists our job is to reclaim liberty lost by fundamentally changing the political status quo. In the highest Jeffersonian tradition “we the people” shall restore a frugal Federal government that does “not take from the mouth of labor the bread it has honestly earned.”

Chapter 7: Federal Supremacy and the Origins of the Federal Empire

What do Constitutionalists mean when we use the term “Federal supremacy” to refer to America’s current government? As previously noted, the founding fathers did not intend to create a supreme nation/state similar to those in Europe when they drew up and submitted the constitution to each sovereign state for the individual state’s ratification or rejection. The European model is one in which sovereignty resides in the central government (originally in the person of a monarch and later in the central government itself) and power is directed downward toward the provincial governments that are responsible for enforcing at the local level the dictates of the central government. Any “rights” of the people at the local level are “enjoyed” at the pleasure of the central government. “Rights” are derived as a grant to the people from the government. In this model of government the central government is supreme, it alone decides what rights the people may enjoy, and government alone is responsible for adjudicating any dispute between the people and the government. In such a system “rights” are given by government—and what a master gives to his slaves, at the master’s discretion, can be taken away. The ultimate reality is that in any system in which the central government is the sole arbiter of rights, the people are in fact mere subjects whose purpose is to hear and obey.

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America's founding fathers had a revolutionary view of human rights and the role of government. They viewed rights as a grant from the Divine Creator and, as such, rights were inalienable. No king, elected official, or government could legitimately encroach upon inalienable rights. The founding fathers viewed government as a dangerous element, necessary, but one to be feared and limited to only the most basic functions of government—protecting private property (primarily a state function) and defending the national borders from invasion (primarily a federal function). The legitimacy of government was founded on the consent of the governed. This consent was conditioned on the principle that the Federal government would do nothing that was not pursuant to the constitution. In the traditional system of American government rights come from God directly to “we the people,” the people then consent to form their local governments (states), and the states as the corporate representative of “we the people” the sovereign community, then created the Federal government to be the agent of the sovereign states. In the American system power and authority for government reside with “we the people” and flow upward in an ever-decreasing stream until it eventually reaches the Federal government. In the American system of government, the Federal government “enjoys” its existence at the pleasure of “we the people” within each respective sovereign state. In the correct

The political status quo is one of federal supremacy—a government in principle no different that the socialized nation/states of Europe.

(original, non-perverted, constitutional) American system of government “we the people” within each respective sovereign state are supreme—not the Federal government.

America’s political status quo represents the exact opposite of what our founding fathers intended. The political status quo is one of Federal supremacy—a government in principle no different than the socialist nation/states of Europe. For example, if a controversy arises over whether or not the Federal government has the right to take private land in order to preserve “wet lands,” the decision will be made by Federal courts—courts whose judges were educated in leftist, politically correct government schools, courts beholdng to the Federal government for their existence, courts that are beyond the reach of “we the people” regardless of how outrageous their decisions may be. As President Thomas Jefferson warned, the Constitution has become an ambiguous text in the hands of Federalist judges to be interpreted in any manner that promotes the power of the Federal government. (*Was Jefferson Davis Right?* p. 227.)

In modern times “we the people” have witnessed the morphing of the Constitution from a document that limits the powers of the Federal government into a “living” document that is used by arrogant judges to promote left-wing, politically correct ideology. The arrogance toward “we the people” and the dismissive attitude toward the limitations outlined by the Original Constitution are seen not only in Federal courts but also in the publicly expressed attitudes of elected members of Congress. Recall Congressman Barney Frank’s declaration that the Democrats intended to use every opportunity to expand the role of government; or the contempt Congresswoman Nancy Pelosi expressed when she was asked where in the Constitution the Federal government was granted the power to force Americans to purchase health insurance—

“You’ve got to be kidding!” was her only response. Or recall the “deer in the headlights” response given by President Clinton’s Solicitor General when a Supreme Court Justice asked him if there was anything he (the Solicitor General) could think of that Congress could not do if it had the necessary votes? He stood there mute, dumbfounded by the question itself! (*Was Jefferson Davis Right?* p. 279 and *Reclaiming Liberty*, p. 40.) The evisceration of the Constitution is not just the result of the efforts of modern-day liberals and nominal socialists, it is the result of two hundred years of extreme Federalists’ efforts to expand the role of the Federal government and move power away from “we the people” and centralize it in the hands of the political elite ruling from Washington, D.C.

Alexander Hamilton was one of the most effective High Federalists. During the debate on the ratification of the Constitution he attempted to mitigate the Anti-Federalist arguments against adoption by asserting in various *Federalist Papers* that the rights reserved to the states in the Constitution would be adequate for the protection of reserved rights and sufficient to enforce the constitutional limitations on Federal activities. To say the least his assurances prior to the adoption of the Constitution did not match his actions subsequent to the adoption of the Constitution. To say that this Federalist founding father was disingenuous would be generous in the extreme. Under President Washington’s administration Hamilton, over Thomas Jefferson’s objection, introduced the concept of “implied” powers—that is, the theory that there are Federal powers granted in the Constitution that while not actually written into the document are there by implication! Thus, Hamilton established the origin of the “living constitution.” Federal Supreme Court Chief Justice John Marshal took this Hamiltonian concept and

expanded it to claim that only the Supreme Court had the right to interpret the Constitution—something that the states rejected and resisted up to 1861. High Federalists such as Supreme Court Justice Joseph Story and Senator Daniel Webster endorsed and used this concept in an early effort to establish Federal supremacy. Early (1850s) Republicans added the concept of “higher law,” meaning that they could appeal to an extra-constitutional authority if needed to justify otherwise unconstitutional Federal acts.

By the time Abraham Lincoln was elected by a minority of the total vote cast it had become clear that force would be used by High Federalists to compel errant states to bend to the will of the supreme Federal government. The moral persuasion of bloody bayonets was used to complete a strategic Federalist victory over state sovereignty and local self-government. During the Reconstruction era, Radical Republicans used occupation, military force, and the threat of force to compel the adoption of the Fourteenth and Fifteenth Amendments. These amendments were never legitimately ratified but have nonetheless become the supreme “law of the land.” (*The South Was Right!* pp. 166-76.) The Federal Supreme Court later “incorporated” the Bill of Rights via these amendments, thereby making the Constitution a limitation on State’s Rights instead of what it was designed to be—a limitation on the powers of the Federal government. From that point forward the Constitution as a limitation on Federal powers became a mere mirage—a thing left in place to placate “conservatives” but something that would

If the federal government is the sole judge of its powers—who then shall guard the guards?

never again fundamentally hinder the efforts of Supreme Federalists to expand the power of big government.

This leaves us with one of the most important questions facing “we the people” today: “If the Federal government is the sole judge of its own powers—who shall guard the guards?” If the king has to answer to no one but himself, then there is no limit to his power! If the Federal government has to answer to no one but itself, then there is no limit to its power! Not exactly the form of government envisioned by most of our founding fathers! If constitutional liberty is to be reclaimed “we the people” must realize that politics as usual will not resolve this dilemma. Only a fundamental change in our current political system will restore a constitutionally limited Federal republic of republics. The only way to accomplish this goal is through the Constitutionalist Revolution.

Chapter 8: Politicians or Statesmen—Which Shall It Be?

A survey of individual wealth published late in 2009 noted that there were 237 millionaires serving as elected members of Congress. A large percentage of these elected Federal officials were not only millionaires but multimillionaires! The average family income in America in 2005 ranged from a low of \$35,324 (in Mississippi) to a high of \$58,842 (in New Hampshire). Now here are questions every hard-working, taxpaying American should consider—assuming he wants to maintain his freedom and protect his income: “Is it possible for such a legislative body to truly comprehend the negative impact its taxing and inflationary policies have on limited family budgets? Can a legislature

Can a legislature dominated by millionaires and multimillionaires understand the economic concerns, fears, and anxieties that average Americans must face?

dominated by millionaires and multimillionaires understand the economic concerns, fears, and anxiety that average Americans must face? Will such elected Federal officials, insulated as they are by their personal wealth and the privileges inherent in their position of power, lend a sympathetic ear to “we the people” when we are forced to confront them regarding the added burden their favored legislation will place on our limited incomes?” Those of us who have followed the antics of our political ruling elite already know the answers to these questions! Our ruling elite can no more relate to us than the Royal Court of some medieval kingdom could relate to penniless serfs working the fields for the lord of the manor.

The idea of “career” politicians was unthinkable to our founding fathers. Early in American political history public service was considered an obligation owed to society, not a career by which an individual would gain wealth and power. In the era of Washington, Jefferson, and Madison public service was a sacrifice made by patriots who then as soon as possible would return to their primary source of income. These were the days of statesmen—men who did not gain from public service.

Here is the Constitutionalsists’ measure of a true statesman: He is an individual who does not seek, crave, or desire public office but, after taking the office at the behest of the community, when he leaves office neither he nor any of his family, friends, or business associates are better off financially than they would have been had he not taken the public office. One additional thing—government is no bigger (preferably smaller) after the statesman leaves office than when he came to office. Yes, government should be smaller each year because in a true free market the economy will grow and expand, yielding a larger tax base, meaning that smaller levels of taxation will produce the same amount of revenue to support the minimally required governmental activity. And without government intervention into the free market there will be no government-induced inflation, boom/bust economic cycles, or the nonproductive investment of resources to comply with arbitrary governmental rules, regulations, and guidelines. In short, the economy will be sustainable. (*Reclaiming Liberty*, pp. 83, 93-97.) Statesmen allow “we the people” to be productive and thereby increase social capital and improve the standard of living for everyone. Politicians on the other hand consume a large portion of the available wealth and deter, impede, and discourage sustainable economic activity—which results in economic slowdowns, a

reduction in the number of productive citizens, and an increase in parasitic elements depending on either corporate or social welfare—paid for of course by productive people.

Statesmen, like other productive citizens, are future-thinkers. Productive individuals must plan for the future in order to survive. The better the individual is at planning for the future the more he is likely to be rewarded in the free market, and therefore the more personal wealth he will accumulate. Because productive people are future-thinkers they do not need governmentally sponsored social safety nets. The key attribute of future-thinkers is their belief in and practice of personal responsibility and individual accountability. This is the pioneer spirit that built the greatest and freest nation on earth! Government did not build this country, “we the people” built it—the government’s main role was to stay out of our way, off our backs, and out of our pockets. Politicians have changed all that—today more and more people instead of being independent future-thinkers have become present-minded (seeking instant gratification with no concern about tomorrow) dependent masses. The ruling elite (composed of politicians of both parties) have found this dependency to be a boon for incumbency. The more people and corporations become dependent on government, the more votes and financial donations the ruling elite can count on during the next election cycle—what a deal for them, but guess who gets to “pay the note?”

Government did not build this country “we the people” built it—the government’s main role was to stay out of our way, off our backs, and out of our pockets.

America's political status quo is designed to maintain itself and assure incumbency for the ruling elite. The elite will never allow any real reform to occur because to do so would threaten their position of power, perks, and almost unlimited privileges. The Republican wing of the status quo can be counted on to provide occasional rhetoric scripted to fill "conservatives" with enthusiastic cheer—full of sound and fury while signifying nothing of strategic value. When the cheering is over and the "good" conservatives have been sworn into office, the sad reality remains that "we the people" have elected another group of politicians, and the Federal government is still supreme. And to the discouragement of the once enthusiastic conservative voters, which is part of the ruling elite's game plan, "we the people" must still fulfill our assigned role as humble supplicants meekly imploring our masters in Washington, D.C., "Please may we have just a little more of the freedom that should be ours by birthright?"

If we keep doing the same thing we have always done, then we should not be surprised to find out that we will keep getting the same sad results, more taxes, bigger government, and less freedom.

Constitutionalists must continually make this point to "conservatives"—if we keep doing the same thing we have always done, then we should not be surprised to discover that we keep getting the same sad results: more taxes, bigger government, and less freedom. Electing "good" conservative politicians will not suffice. As long as the current political system is in place, good conservatives will most likely be turned into part of the status quo or at best isolated, denigrated, and politically ignored until they are at last

replaced by loyal party members who will play by the rules established by and for the benefit of the ruling elite. Statesmen cannot survive in the political status quo. What America needs is a strategic change in the way in which “we the people” control “our” government. This will happen only when “we the people” reclaim the right of the sovereign state to nullify unconstitutional Federal acts. The only way this will occur is via the Constitutionalist Revolution!

Chapter 9: Constitutionalism—Outflanking the Political Status Quo

Why is it that even though “conservatives” occasionally win some impressive political victories—Newt Gingrich’s Contract with America back in 1994 for example—despite these victories “we the people” always wind up back in the same position of being over-taxed, over-regulated, and forced to watch as secular humanists and nominal socialists destroy the principles that built America? The political status quo is designed to assure this type of results! “We the people” always lose because we are playing a political “game” designed by our sworn enemies, with rules devised by our enemies, and the referees are hired and paid for by our enemies—what other outcome could a sane person expect? Our problem is that “we the people” have been “playing” the wrong game! The Constitutionalist Revolution represents a paradigm shift in the way political action is conducted in America. We will no longer be fighting the battle our enemy wants us to fight, but we will be forcing our enemy to fight our battle—a battle in which “we the people” have the advantage and our enemy is disadvantaged.

The Goal of Constitutionalism

In addition to spending our limited financial and emotional resources contesting elections, Constitutionlists will concentrate on pushing a joint resolution through our respective state legislatures calling for a constitutional amendment, via congressional submission to the states or a constitutional convention of the states, said amendment acknowledging the sovereign states’ reserved right to nullify any act of the Federal government “we the people” of our sovereign states judge to be unconstitutional or destructive to the people of that specific state. (*Nullifying Tyranny*, pp. 163-5;

Reclaiming Liberty, pp. 69-81; and *Why Not Freedom!* pp. 271-97.) From this point forward it no longer matters what Nancy Pelosi, Barack Obama, Harry Reed, or Barney Frank (or any other member of the ruling elite) say or do in faraway Washington, D.C.—

“we the people” will be working close to home to undercut the very source of their tyrannical power.

In the struggle to reclaim liberty “we the people” have the advantage known in military theory as “interior lines of communication”—we are closer to the action and can bring pressure to bear easier than our opponents. While the elite are up in the euphoric land of political power seeking to maintain the perks, privileges, and power they gain from the Federal Empire, we are working with our neighbors to convince local elected officials to pass the joint resolution through our state legislatures. The

The political status quo is designed to operate around election cycles with power concentrated in Washington, D.C. but we will be doing an “end run” or “outflanking” the ruling elite’s battle plan!

political status quo is designed to operate around election cycles with power concentrated in faraway Washington, D.C., but Constitutionalists will be doing an “end run around” or “outflanking” their battle plan!

To accomplish our goal Constitutionalists must be organized within each state by congressional districts. This action structure has three purposes: (1) as Constitutionalists we must educate our neighbors about this movement. Acting locally we will create a community of freedom fighters who support the movement to reclaim the right of “we the people” to once again be the masters in our own homes and

communities. This ever-expanding community of supporters will help to pressure local representatives to the state legislatures to support and pass the joint resolution; (2) as the number of states passing the joint resolution calling for the nullification amendment approaches the constitutionally required two-thirds of the states needed to call for a constitutional convention (thirty-four states), it will put intense pressure on Congress to avoid a constitutional convention by submitting an amendment acceptable to “we the people” and allow the states to vote on ratification. Constitutionlists in their respective congressional districts will keep the pressure on their congressmen and senators to force them to vote for the submission of the amendment to the states. If they refuse, then it will be our responsibility to remove them from office at the next election. Note that direct political action is not required until well after Constitutionlists are organized in each congressional district (and therefore statewide to exert pressure on U.S. senators) and our goal is well known and accepted by “we the people” within our congressional districts; and, (3) the need to educate people within each congressional district will continue even after the passage of the state resolution calling for a nullification amendment. The politically correct establishment will initiate a radical campaign to destroy this lethal threat to the political status quo. America’s left-wing mainline media, the p.c. education establishment, and Hollywood will be unrelenting—it will be up to “we the people” at the local level to counteract this vicious and slanderous attack from the left. Remember that after passage of the state resolution we will need to “convince” our congressmen and senators to submit an amendment acceptable to “we the people” for ratification by the states. Then we will need to “convince” the legislatures of three-fourths of the states (thirty-eight states) to ratify the amendment. It will not be

easy, but it can be done. An explanation of why Constitutionalists think it is possible to find thirty-eight states where a majority of the population will support ratification of the nullification amendment can be found in *Nullifying Tyranny* (pp.169-70).

The key is for “we the people” to become engaged and remain engaged in the effort to convince our friends and neighbors of the possibility of living in a liberty-based society—a society in which *political* decisions are reserved for only those issues that cannot be addressed voluntarily in the free market; where the majority of *political* decisions that impact the local community are made via local self-government; and where

What we are proposing is to recreate an American society in which authority flows from the people to local, state, and lastly the federal government.

those decisions that are made in faraway Washington, D.C., will always be subject to nullification by “we the people” within each respective sovereign state. What Constitutionalists are proposing is to re-create: (1) an American society in which authority flows from the people to the local, state, and finally the Federal government; (2) a society populated by people imbued with the pioneer spirit typified by individual responsibility and personal accountability; (3) a liberty-based society that encourages its productive citizens to develop to the fullest extent of their capabilities and thereby enrich not only themselves but society as well; (4) a liberty-based society in which total government taxation never exceeds 10 percent of its citizens’ income, and indirect taxation is prohibited! What we propose is a paradigm shift in the way government is

viewed in contemporary America and a paradigm shift in the way “we the people” control “our” government. What Constitutionists propose is a return to a view of American government and society more in line with the ideas and hopes of America’s founding fathers who left for us an inheritance of liberty—ours to reclaim.

Chapter 10: One Strategic Victory Is All We Need

America's ruling elite realize that in a "democracy" it would be foolish not to allow those who pay the cost of government—productive citizens—to enjoy the delusion that they somehow have a say in the political system that exploits so much of their income for the benefit of parasitic elements. Just to be clear, let me once again point out that parasitic elements consist of the ruling elite, corporate welfare recipients, and social welfare recipients. They are branded "parasites" because as is the case of politicians and social welfare recipients they produce nothing of value that would be demanded in an unhampered free market. In the case of corporate welfare recipients, they use their close connections with the ruling elite to avoid the strictures of competition in an unhampered free market, thereby allowing them to produce goods and services of constantly decreasing quality at constantly increasing costs—think in terms of government contracts where cost overruns and low quality are commonplace. This relationship with government allows corporate welfare recipients to gain "profits" that they could not have gained in the free market. It has been estimated that government "takes" between 40 to 60 percent of the average American's income to pay for the cost of running the government. (*Reclaiming Liberty*, p. 89.) Yes, the ruling elite know how important it is to keep the sheep quiet and docile—especially after the Tea Parties of 2009! Allowing a few insignificant electoral victories every now and then

Constitutionalists realize that a few tactical political victories here and there will never produce the fundamental change needed.

is a very effective way to allow “we the people” to “let off a little steam” without endangering the political status quo.

As Constitutionlists we realize that a few tactical political victories here and there will never produce the fundamental change needed if our reserved rights under the Constitution are to be secure—safe from Federal encroachments. A highly motivated and dedicated army will destroy itself if it wins only tactical victories. Sooner or later, as in the case of the Continental army during the War for American Independence, the army must win a Yorktown victory—a strategic victory so dramatic that it changes the very nature of the contest and

Once conservatives realize that politics as usual only plays into the hands of those who want to exploit us, then we can begin the efforts that will ultimately produce a strategic victory.

assures final victory. The political status quo is designed around election cycles. All of the vast energy and resources available to the political status quo will be marshaled each election cycle to assure no one is elected who might endanger the existence of the political status quo. At best the ruling elite will allow a few Republican (conservative in name only) victories, but these are mere window dressing—not a sincere effort to fundamentally change the nature of the Federal Empire—not an effort to replace Federal supremacy with a constitutionally limited republic of republics. Once conservatives realize that politics as usual only plays into the hands of those who want to exploit us, once we realize that electing “good” conservatives will not produce the radical change needed, then we can begin the efforts that will ultimately produce a

strategic victory—a victory that will remove the political ruling elite from their haughty positions of perks, privileges, and power and replace the political status quo with a liberty-based society governed by statesmen.

Still some conservatives may think it is not necessary to radically change the political status quo in order to protect liberty. Let us then consider what would happen if overnight members of both Houses of Congress had a “Damascus Road” conversion to true conservatism—what would be the result? No doubt it would be a great victory for conservatives, *but* it would only be a tactical victory! Yes, we could, for example, repeal the socialist health care reform, but it could be reestablished at the next election if the nominal socialists (also known as liberals, progressives, or realistic Republicans) regain control of Congress or if a liberal Federal Supreme Court rules the conservative Congress’s acts unconstitutional! As long as “we the people” leave the system of Federal supremacy intact it will always be a threat to our rights, property, and liberty.

Moral conservatives who object to the abortion decision of *Roe v. Wade* think that all we need to do is to pass a constitutional amendment overruling the court’s decision. But an amendment without some effective political force to enforce it would be meaningless. For example, gun owners have the Second Amendment that plainly declares the right to keep and bear arms, but that has not stopped the ruling elite from constantly attacking this vital reserved right. A constitutional amendment without an effective political entity to enforce that right is useless. Even if moral conservatives could enact their favored amendment, it would prove no more useful to them than the Second Amendment has been for gun rights advocates. Without the benefit of the sovereign state—and statesmen governing said state who understand that the first

function of the sovereign state is to protect the rights reserved by “we the people” of the sovereign community—without the state and its ability to interpose its sovereign authority between its citizens and an aggressive and abusive Federal government, liberty will never be secure in America.

Ratifying a nullification amendment would effect a fundamental change in American governance. But it would be a change back to the principles of the founding fathers in which the Federal government would function within its constitutionally limited authority. Decisions of the Federal courts would be persuasive and followed in all but the most extreme cases. The existence of the

In a liberty based society where Constitutionalists statesmen govern, violence is never the first choice and civility is the rule.

acknowledged right of nullification would tend to reduce potential Federal/state conflict because the Federal Congress would be reluctant to pass laws that would be opposed by large numbers of Americans (a distinct contrast between the way Congress rammed health care reform “down our throats”). The right of nullification encourages mutual respect and toleration between diverse sections of the United States, whereas the current system encourages a haughty style of government that borders on tyranny. But still some may object that nullification would tend to destroy the “Union” because each state could do as it pleases without regard for the interests and welfare of the nation. The fact is that under our original system of limited federalism and a republic of republics, each state could to a very large degree do as it pleased. But it had to please all other members of the Union if the state wanted to remain a part of the Union. The

mutual benefits afforded by the union with similar situated states more than compensated for the few compromises each state had to make in order to be a part of the Union. In *Reclaiming Liberty* (pp. 75, 191-92) I address the legitimate concern expressed by some that under this system of limited federalism a state could enact repressive laws that would violate the human rights of its citizens. Using the mythical state of Oklarodo I demonstrate how evil or objectionable laws passed in the state of Oklarodo could be overthrown without resorting to force. In a liberty-based society where Constitutionalist statesmen govern, violence is never the first choice, and civility is always the rule.

Chapter 11: The Role of Constitutionalist Freedom Fighters

Organized special interest groups are always more influential than unorganized taxpaying citizens. Even though “we the people” may be a majority—organized efforts in democratically elected legislative bodies always trump the interests of unorganized citizens. This is not a new observation for America. James Madison, a founding father who was initially a Federalist but soon deserted the Hamiltonian supreme federalism school, declared, “Where there is power, and an interest to use it, wrong will be done.” (*Why Not Freedom!* p.108.) James Madison was pointing out a problem that was not unique to a particular form of government—he was pointing out a problem that is unique to man! The founding fathers understood that even “good” men are not “angels” but are, from a biblical view, fallen creatures—creatures afflicted with a sinful nature that is easily tempted by selfish motives and therefore prone to do evil, especially when granted control of the supra-personal force of government. (*Nullifying Tyranny: Creating Moral Communities in an Immoral World*, pp.33-9)

***“Where there is power, and an interest to use it, wrong will be done.”
James Madison***

The founding fathers attempted to minimize the potential for selfish interest groups to do harm to “we the people” by creating a Federal government that was specifically limited by: (1) a written constitution that enumerated Federal powers in order to limit the Federal government’s political scope; (2) the establishment of three separate and independent branches of power within the Federal government in the hopes that each branch— legislative, executive, and judicial— would “balance” the power held by

the others and therefore limit the political role of the Federal government; and (3) the stipulation that *all* rights not delegated (Tenth Amendment) and *all* rights, even those rights not specifically mentioned in the constitution (Ninth Amendment), were reserved to “we the people” through our corporate agent the sovereign state. These reserved rights were to be used by the sovereign state to defend “we the people” against the encroachments of the Federal government.

Of the three ways the founding fathers attempted to protect “we the people” from an abusive Federal government only State’s Rights are enforceable by or readily available to “we the people” when our reserved rights are threatened by an aggressive Federal government! Only the sovereign state contains the political mechanism to interpose its sovereign authority between its citizen(s) and an aggressive Federal government. Without this protection, when “we the people” are faced with an aggressive Federal government our only recourse is to appeal to the *Federal* Supreme Court or the *Federal* president or the *Federal* Congress—but in all such cases “we the people” must rely on the goodwill and personal integrity of those running the *Federal* government in the hopes of protecting our rights, liberty, or property from an aggressive *Federal* government. In such cases “we the people” must appeal to the same government that caused the grievance in the first place! In principle it is no different than a group of subjects seeking redress from the king regarding a wrong committed by that same king! Under these circumstances citizens (in reality they are no longer citizens but actually supplicants) find themselves faced with the age-old question relative to governmental power versus individual rights: “Who shall guard the guards?”

America's founding fathers answered the question of who shall guard the Federal "guards" by attempting to specifically secure the reserved rights of the sovereign state that would act as the final arbiter of the constitutionality of questionable Federal acts that infringe upon the rights, liberty, or property of the citizens of that specific state. It is the role of those who believe that America must be governed by a constitutionally limited Federal government (Constitutionalists) to restore the sovereign state in order for the state to fulfill its primary role in America's political system—the role as champion of "we the people" when faced with an aggressive, tax-and-spend, regulate-and-rule Federal government.

The Constitutionalist League

The last thing conservatives need is yet another right-wing organization—at least in the usual sense of the word. The Constitutionalist League is an association of fellow believers (more than mere believers but activists) who want to take non-violent, non-traditional, political action to restore the American principles of state sovereignty, constitutionally limited federalism, and the original American republic of republics. It is a loose confederation of individuals and groups dedicated to the ratification of our State Sovereignty Amendment. But first it should be clearly stated what the Constitutionalist League is not: It is not an organization! It is every group of individuals who want to restore constitutionally limited federalism to America and thereby provide "we the people" of the Sovereign State with a means to once again become the final judge whether or not our Federal government is conducting itself in "pursuance" to the Constitution. It is an organized *effort* to persuade friends and neighbors to support the effort to first pass the Joint Resolution through our state legislature calling on Congress

to submit the State Sovereignty Amendment for state ratification. It is an organized effort to win the hearts and minds of America’s taxpaying citizens who have no one in Washington to protect their interests. The second effort will be to develop a loose organization in each Congressional District in order to pressure our Representatives and Senators in Washington to submit our State Sovereignty Amendment to the states, and then the third effort will be to pressure out State Legislators to ratify the State Sovereignty Amendment. Constitutionalsists must use their membership in existing “conservative” organizations, such as Tea Party groups, NRA, and Southern Heritage organizations, to advance the cause of passing our amendment. The last thing we need is to spend scarce resources preening yet another organization—to the detriment of time, money, and emotional resources that should have been spent advancing the cause. Our scarce resources must be spent advancing the knowledge of our cause by educating the general public

We educate the general public in order to gain supporters and then we lead supporters in efforts necessary to ratify our Nullification Amendment.

Membership in the Constitutionalist League

With any association of fellow believers there will be meetings in which fellow activists encourage and exhort their fellows to continue their mutual efforts, and so it is with the Constitutionalist League. But the important thing is that holding meetings for fellow believers is not the primary reason for the existence of the Constitutionalist League. The primary purpose of the Constitutionalist League is to educate the general

public about the need for and the possibility of reclaiming liberty and restoring limited federalism in America. We educate the general public in order to gain supporters, and then we lead supporters in the efforts necessary to ratify the State Sovereignty Amendment.

Initially the primary means of educating the general public will be by using money obtained from dues and donations to purchase radio and newspaper advertisements encouraging Americans to consider the possibilities afforded by living in a country that is not oppressed by a ruling elite, a country in which parasitic elements are not enabled by government and allowed to “legally” loot the income of productive citizens. These advertisements will encourage people to go to the Constitutionalist League’s Web site to learn more about our association. Our Web site contains weekly columns covering current events and topics that demonstrate the need to replace the political status quo with a liberty-based society—a society in which productive people are rewarded for their hard work and the Federal government is, as President Thomas Jefferson described, “a frugal government that does not take from the mouth of labor the bread it has earned.”

***The
Constitutionalists
Committee of
Correspondence is a
modern day adaption
of the original
Committee of
Correspondence
used by America’s
founding fathers.***

Fellow Constitutionalist activists will become independent members of the Constitutionalist Committee of Correspondence within their respective congressional districts. The purpose of the committee is for each member to alert everyone on his e-

mail list about the latest article or column posted on our Web site. The logic is obvious— a column posted on a Web site is useless unless people who are not currently activists for our cause read the column. Consider the tremendous positive effect for our cause if each committee member sends out a short alert to all of his friends and associates. Now instead of merely being read by fellow activists the column will be read by huge numbers of people who would otherwise never have known about our cause. The Constitutionalist Committee of Correspondence is a modern-day adaptation of the original Committee of Correspondence used by America’s founding fathers to gain our freedom back in the era of 1776. Imagine the impact of even a small organization with, for example, only 2,000 members if each activist member sends out once a month (too often and our friends may begin to look upon our e-mails as spam) an e-notice to 50 people—that would mean that once a month more than 100,000 people will be informed about our cause even if they never read the column! In a year’s time more than a million contacts will have been made, and that number does not include those who read the Constitutionalist column or article and then forward the information to other people. Constitutionalist activists will also be expected to write letters to the editor and call in to local radio talk

The goal of Constitutionalists is to present the political status quo with a political battle they have never faced, one they are ill-equipped to defend against and one that allows “we the people” to leverage our strength at the local (grassroots) level.

shows and advocate our cause. Activists can also be instrumental in securing speaking engagements before local civic clubs, historical societies, church groups, or political organizations for spokesmen listed on the Constitutionalist speakers' bureau. Constitutionalist pamphlets and brochures will be made available for distribution at various fairs, gun shows, and other such public events. Radio and newspaper advertisements in conjunction with individual efforts of activists at the local level will overcome the leftist propaganda that has taught "we the people" that we have no choice but to hear and obey the voice of big government controlled by the ruling elite.

Constitutionalists will be responsible for educating "we the people" within their specific congressional districts. A congressional district with between 100 to 300 activists will become a hotbed of activity as local Constitutionlists encourage "we the people" to contact their local state legislators and encourage them to pass the State Sovereignty Amendment joint resolution as well as to contact their Federal congressmen and senators demanding that they support the submission of the nullification amendment for state ratification. The ruling elite have never been faced with this type of organization—this is how "we the people" will produce a strategic victory—a political victory that will fundamentally change the very nature of governmental power in America!

The goal of Constitutionlists is to present the political status quo with a political battle they have never faced, one they are ill-equipped to defend against and one that allows "we the people" to leverage our strength at the local (grassroots) level. Think of the effort to ratify the State Sovereignty Amendment as our effort to outflank the political wing of the ruling elite's army, while our efforts to educate and motivate "we the people"

at the local level as our effort to outflank the politically correct leftist propaganda wing of the ruling elite's army. If you want to be a part of this double envelopment of the ruling elite's army of occupation you need to join the Constitutionalist League. Associate with fellow believers in liberty who are determined not to repeat the mistakes conservatives have spent the past hundred years committing. For the past century or more conservatives have "talked" about conserving something (I'm not sure what they were trying to conserve) as they have watched the Federal government morph into what it is today—a supreme, centralized Federal government, with a ruling elite who use the political status quo to exploit productive subjects for the benefit of the ruling elite and those with close connections to the ruling elite. But again it must be stressed that this movement is dedicated to peaceful social and political action—our money, time, and emotional energy must be used to produce measurable results for the exclusive benefit of "we the people." To replace one set of ruling elite with another set would be worse than ineffective—it would be immoral. We will use our time, money, and energy to gain a strategic victory that will produce a society in which "we the people" will be secure in our rights, liberty, and property—a society in which the cost and intrusive nature of government will be so light it will hardly be noticed!

Chapter 12: Sovereign States Contesting Federal Supremacy

The following are excerpts from historical records of Sovereign States using their Sovereign authority to defend rights reserved via the Constitution to “we the people.”

Georgia November 21, 1793

[Federal Supreme Court attempts to compel the Sovereign State to submit to the authority of the Federal Court—prior to passage of 11th Amendment]

Warning any Federal agent attempting to enforce the Federal Supreme Court’s order “shall be...guilty of a felony, and shall suffer death, without the benefit of clergy, by being hanged.”

The Virginia Resolution, December 21, 1798

... this Assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact; as no further valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto, have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights and liberties appertaining to them.

The Kentucky Resolution, November 16, 1798

... That the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the Constitution, the measure of its powers; but that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measures of redress.

New Hampshire January 16, 1795

[*Susannah* controversy] Can the rage for annihilating all the powers of the State and reducing this extensive and flourishing country to one domination make the administrators blind to the danger of violating all the principles of our former government, to the hazard of convulsions, in endeavoring to eradicate every trace of State power,...

Pennsylvania April 3, 1809

[*Olmstead* controversy] And whereas the causes and reasons which have produced this conflict between the general and State government should be made known, not only that the State may be justified to her sister States, who are equally interested in the preservation of the State rights; but to evince to the Government of the United States that the Legislature, in resisting encroachments on their rights...they are contending for the rights of the State, that it will be attributed to a desire for preserving the Federal government itself, the best features of which must depend upon keeping up a just balance between the general and State governments, as guaranteed by the Constitution.

... Whilst they yield to this authority, when exercised within Constitutional limits, they trust they will not be considered as acting hostile to the General Government, when, as guardians of the State rights, they can not permit an infringement of those rights by an unconstitutional exercise of power in the United States courts.

...*Resolved*, that the independence of the States, as secured by the Constitution, be destroyed, the liberties of the people in so extensive country cannot long survive. To suffer the United States' courts to decide on **State Rights** will, from a bias *in favor of power*, necessarily destroy the **Federal part** of our Government: And whenever the government of the United States becomes consolidated, we may learn from the history of nations what will be the event.

Massachusetts February 15, 1809

[The Federal Embargo Act] ... in many particulars, unjust, oppressive, and unconstitutional....

While this State maintains its sovereignty and independence, all the citizens can find protection against outrage and injustice in the strong arm of the State government.

[The Federal Embargo Act] ... not legally binding on the citizens of this State.

Connecticut August 25, 1812

[The Militia controversy] But it should not be forgotten, that the State of Connecticut is a **FREE SOVEREIGN AND INDEPENDENT STATE**; that the United States are a confederacy of States; that we are a confederated and not a consolidated Republic.

Ohio January 3, 1821

[The Bank of the United States controversy] The committee are aware of the doctrine, that the Federal courts are exclusively vested with jurisdiction to declare, in the last resort, the true interpretation of the Constitution of the United States. To this doctrine, in the latitude contended for, they never can give their assent....

That this General Assembly do protest against the doctrine that the political rights of the separate States that compose the American Union, and their powers as sovereign States, may be settled and determined in the Supreme Court of the United States...

Wisconsin March 1859

[Personal Liberty Laws] Resolved, That the government formed by the Constitution of the United States was not the exclusive or final judge of the extent of the powers delegated to itself; but that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

Resolved, that the principle and construction contended for by the party which now rules in the councils of the nation, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism, since the discretion of those who administer the government, and not the Constitution, would be the measure of their powers; that the several States which formed that instrument,

being sovereign and independent, have the unquestionable right to judge of its infractions; and that a positive defiance of those sovereignties, of all unauthorized acts done or attempted to be done under color of that instrument, is the rightful remedy.

[Note the almost identical language used by Wisconsin in 1859 to, in effect, nullify Article IV Section 2 of the United States Constitution and the language used by Jefferson and Madison in the Virginia and Kentucky Resolves of 1798]

Chapter 13: The Federal Government Rejected by the Founding Fathers

Modern-day conservatives are passionate about the need to “return” to the Constitution. But the vast majority of Americans in general as well as “Tea Party” conservatives are not aware of the fact that the current system of supreme federalism is vastly different from the federal government proposed by the original constitution and indeed is a near replica of the very federal government specifically and emphatically rejected by our Founding Fathers.

Original Sovereignty: Independence and Articles of Confederation

America’s original federal government was created by the sovereign states under the Articles of Confederation. The primary concern at that time was that the various states, some very large and others very small—as measured by population or geography—did not want to create yet another centralized tyranny to rule over them similar to the one in London they had seceded from in 1776. Each sovereign state was very jealous of its “sovereignty, freedom, and independence” and declared so in Article II of the Articles of Confederation. This precious state “sovereignty, freedom, and independence” was recognized by Great Britain in the Treaty of Paris in 1783. By this treaty Great Britain acknowledged to the entire world that these former colonies were now thirteen sovereign states—not one solitary, centralized, unitary government known as the United States of America, but each colony was recognized by name as an independent state—the word “state” used here and in the Treaty of Paris meaning nation. These newly free and sovereign states were not willing to voluntarily relinquish their hard-won sovereignty—and in fact they never did!

The Declaration of Independence was more than a declaration of freedom for thirteen American colonies, it also marked the beginning of the end of the age of absolute monarchy. Prior to the Declaration of Independence, sovereignty, in the Western world, was presumed to be delivered from God to the Royal Monarch. Americans declared otherwise when they renounced their allegiance to the British Crown. The Declaration of Independence announced to the world that sovereignty did not reside in the person of a Royal Monarch commissioned by God to rule the people—in the American system of government sovereignty came from God to the people—the people, not a king or a central government, were sovereign. The Declaration of Independence made it clear that the people are “endowed by their Creator with certain unalienable rights” and that among these rights is the right to live under a government that derives its “just powers from the consent of the governed.” And most important, “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.” In America sovereign authority to form, alter, or abolish governments resides not with the Royal Court, a monarch, or a central government of any type—it belongs to “we the people.” But equally as important—indeed more important for Americans—is the fact that such sovereign authority belongs not to “we the people” in the aggregate (as in “we the people” of the United States of America), but to “we the people” within our separate sovereign states! The American states were “sovereign, free, and independent” as acknowledged by the British Crown in the Treaty of Paris (1783) and specifically noted in Article II of the Articles of Confederation. Therefore authority for government flowed from the people to their specific state and then via these individual sovereign states to

the federal government. Original sovereignty—or the authority to form, modify, control, or abolish the federal government—then resides with “we the people” within our separate and sovereign states.

A More Perfect Union

In short order it became apparent that the loose confederation created by the Articles of Confederation was not meeting the needs of the new republic. Many people in various states felt that the federal government needed a more reliable system of funding and a better way to encourage or facilitate national defense and commerce between the states. Most Americans within each state would have been satisfied with merely modifying the Articles of Confederation to rectify these problems. But when the Constitutional Convention met in 1787, it became apparent very early in the discussions that others had come to the convention not to provide a more perfect union of sovereign states, but essentially to dissolve the states and create a vast, centralized, all-powerful federal government. These High Federalists (as they were called) were smart enough to keep their plans to themselves. If their intentions to create an all-powerful federal government had become public knowledge prior to the convention, very few if any states would have chosen, authorized, and sent delegates to the Constitutional Convention.

The term “a more perfect union” found in the preamble of the Constitution is erroneously assumed by many people to mean a consolidated, monolithic, supreme national government or, simply put, a supreme U.S. federal government. It is commonly understood in law that the preamble, title, or chapter heading of a contract or law has no

enforceable authority, but merely serves an illustrative purpose—the wording of the contract or law itself is the only authoritative part of the law or contract. Many Americans have been misled (propagandized) by the government’s education system and therefore assume that the term “more perfect union” in the preamble of the Constitution is meant to convey the fact that the Constitution created a union that is in fact a consolidated, supreme, central government. Therefore it is only proper that the phrase’s true meaning be explained.

By now it should not be shocking that the true meaning of the phrase “a more perfect union” actually means the opposite of what it is presumed to mean today. The union created by the Articles of Confederation was an association, freely entered into by equals—thirteen sovereign American states. Many Americans at the time did not believe the old union (Federal government) under the Articles of Confederation adequately provided for national defense or for the free flow of commerce between the thirteen sovereign states. Therefore, a new federal government or union was designed. But in order to ratify the proposed constitution and create a new federal government, the states making up the original federal government under the Articles of Confederation, each independent of the other, seceded from the original union and formed a new “more perfect” union under the Constitution. Note that it only required the accession of nine sovereign states to form the new union. Note also that this new union would have authority *only* over those sovereign states that freely elected to leave (secede from) the old union and join (accede to) the new union. Some states were very reluctant to join the new union, and they stood outside of the new union as sovereign, free, and

independent states (nations) until they freely elected to join the new union (Article VII, U.S. Constitution).

A union is a free and voluntary association of equals, each member having the right to join or leave at will—indeed if a member of the union cannot leave, then that member is not free! A prison is a union of sorts, but not the type of union that the Founding Fathers sought to create. The talons of a hawk and the dove’s breast form a union of sorts as well as the jaws of a wolf and the throat of a lamb, but these are not emblematic of the political union of sovereign, free, and independent states—indeed they are emblematic of political tyranny—never forget that if a member of a union cannot leave, that member is not free! The more perfect union created by the original Constitution was not designed to be an iron union controlled by a supreme federal government. Even though the High Federalists wanted such a federal government, they did not have the support in the Constitutional Convention to create their desired system of federal supremacy.

High Federalists—Early Advocates of Federal Supremacy

High Federalist is the term used to describe those post-colonial political leaders who wanted a supreme federal government. They wanted an energetic federal government in which the states would not be sovereign and could be forced to yield ultimate political decision making (sovereignty) to the federal government. Of the two key High Federalists at the Constitutional Convention, Alexander Hamilton was by far the most ardent advocate of a supreme federal government. Hamilton considered the states to be merely “imaginary” things—political bodies having no organic reality, no

essential connection to the concepts of individual liberty and sovereignty. Hamilton was different from most of the other delegates in that he was a relatively recent immigrant to America—he had not come of age and matured in a particular state—he had no “roots” in the vibrant political society of a native state—he had no kinship or cultural connection to a local community of fellow citizens. In his view the states in America were no different than provinces in a European nation—mere subservient political subdivisions answerable to the central government.

Early in the Convention Hamilton proposed a new more powerful—sometimes referred to as an “energetic”—government. Specifically, he advocated a federal chief executive who would hold office for life and who would hold an absolute veto (similar to the power of a king); a senate composed of individuals holding office for life (similar to the House of Lords); a federal supreme court that would have complete jurisdiction over all cases—including state cases; and governors of the various states who would be appointed by the federal government. No wonder Thomas Jefferson—Hamilton’s arch nemesis—referred to Hamilton as a “monarchist.” Hamilton’s dream of a supreme federal government was too radical for even his fellow High Federalists—it would have to wait for a later day.

Much to the surprise of many conservatives, the second-ranking High Federalist at the Constitutional Convention was none other than James Madison! Madison came to the Convention with his own vision of an “energetic” federal government—he came with great personal expectations and ambitions, but left a more humble and conservative advocate of a limited federal government that the people of the states would more likely ratify. Unlike Hamilton, Madison was able to learn from the elder statesmen at the

Convention—the main lesson he learned was that, as William Samuel Johnson of Connecticut declared, “the states do exist as political societies...[and] must be armed with some power of self-defense.”

James Madison presented “his” plan for an energetic federal government at the beginning of the Convention prior to the arrival of all of the delegates. He called his plan the Virginia Plan. His strategy was to be the first to offer specific details of a new federal government and thereby set the agenda and assure that he and other High Federalists would be able to control and direct the debate and eventual outcome of the Convention. The most important points of Madison’s plan for a new federal government were:

1. State representation in the federal Congress would be determined by population.
2. The federal Congress would have veto power over laws enacted by the states.
3. The federal Congress would have power “to legislate in all cases to which the separate states are incompetent or in which the harmony of the United States may be interrupted by the exercise of individual legislation.”

While Madison’s Virginia Plan had fewer attributes of British monarchy than Hamilton’s vision of a new energetic federal government, both were typical of the dreams of High Federalists—dreams of a supreme national government in which sovereign authority ultimately resided with the federal government. In their system of government the states composing the “more perfect union” would be no different than local provincial governments in Europe. European provinces were nothing more than mere administrative agents of the central government. Instead of the sovereign states creating via the Constitution a federal government to be the agent of the states, the

High Federalists sought to dissolve the states and create a federal government that would be served by its administrative agents—the once sovereign states!

Founders' Reaction to the Suggestion of Federal Supremacy

When all delegates were seated at the Constitutional Convention, Madison's Virginia Plan was quickly recognized as a recipe for centralized mass democracy—something that most of the Founding Fathers viewed with great skepticism. Madison's plan was so unacceptable to the majority of delegates that its very offering almost caused the Convention to close before it even began its work. Caleb Strong of Massachusetts described the Convention as being “nearly at an end.” Roger Sherman of Connecticut complained that “we are at full stop.” Hugh Williamson of North Carolina thought that “our business must soon be concluded.” The day was saved when Benjamin Franklin suggested public prayer. Elder statesmen, such as Oliver Ellsworth from Connecticut, came forward to guide the workings of the Convention. Ellsworth viewed the business at hand as not one of “razing the foundations of the building when they need only repair the roof.” John Dickinson of Delaware lectured James Madison and declared to Madison, “You see the consequence of pushing things too far?” On July 16 with all the delegates to the Constitutional Convention seated, Madison's plan was rejected! On the following day the Convention voted seven states to three to remove from Madison the responsibility of drafting the final version of the new Constitution and turned the task over to the conservative John Rutledge of South Carolina.

Madison came to the Convention expecting to be the great lawgiver for a strong, centralized federal government, but quickly became a humbled student of organic American political philosophy. The politically immature Madison came to the Convention

with wild dreams of a strong central government served by weak states. He was not prepared for the energized reaction from the delegates of the sovereign states assembled. Gouverneur Morris of Pennsylvania described the High Federalists' vision as being "terrible to the states;" John Lansing of New York described the plan for a supreme federal government as being "more injurious" than the British government's rule over the colonies; and men such as George Mason of Virginia, Luther Martin of Maryland, and John Dickinson of Delaware warned the Convention of the danger in any system of federalism that did not allow enough capacity for the states. Pierce Butler of Pennsylvania declared his concern that the delegates may be "running into an extreme in taking away the powers of the states." Madison came to the convention as a supporter of the Hamiltonian vision of an energetic supreme federal government. He left the Convention as a humbled weak federalist and with a new understanding of the importance of the sovereign states in this proposed "more perfect union." He would eventually become one of Thomas Jefferson's strongest allies in the continuing fight for real State's Rights.

A Federal Government the People Would Accept

The main work of the Constitutional Convention, as Madison and Hamilton learned, was to create a "more perfect union," one that the people of at least nine of the thirteen states would ratify. To find out what kind of government the people of the states would accept, we need to look *not* at the arguments surrounding the Constitutional Convention, but at the debates and discussions surrounding the ratification within each distinct and separate state.

In *The Federalist Papers* Alexander Hamilton, James Madison, and John Jay advocated the moderate (sometimes referred to as the “weak”) federalist position. The moderate federalist position was that the Constitution proposed a very limited federal government with the vast residuary of rights reserved to the sovereign states. Even Hamilton, the High Federalist, argued that the sovereign states would be completely safe in the proposed “more perfect union.” In *Federalist Paper* number 28 he promised that “[i]t may safely be received as an axiom in our political system, that the State governments will, in all possible contingencies, afford complete security against invasions of the public liberty by the national authority.” Then again in *Federalist Paper* number 85 he attempted to calm the Anti-Federalist fears in the states when he declared, “We may safely rely on the disposition of the State Legislatures to erect barriers against the encroachment of national authority.” We see here examples of how even a High Federalist such as Alexander Hamilton was forced to admit to his fellow countrymen that the federal government proposed under the Constitution would *not* be a supreme government, but that the Constitution contemplated that the states would act as a barrier, a check, or counterbalance against unconstitutional acts of the newly created federal government.

James Madison provides conclusive proof regarding the status of the sovereign states vis-à-vis the newly proposed federal government under the Constitution. In *Federalist Paper* number 40, Madison asked the following rhetorical question of the Anti-Federalists who were skeptical regarding the new powers being proposed for the federal government and the impact on the powers of the sovereign states: “Do they require that, in the establishment of the Constitution, the States should be regarded as

distinct and independent sovereigns?” In the very next sentence he answered his own question: “They are so regarded by the Constitution proposed.” Madison recognized that the proposed “more perfect union” was not a new and all-powerful federal government, but merely an adjustment to the limited powers already held by the federal government under the Articles of Confederation—the two governments were different in degrees, but they were not distinct in principle of limited federalism and state sovereignty. In the same paper Madison explained this fact by noting, “The truth is, that the great principle of the Constitution proposed by the convention may be considered less as absolutely new, than as the expansion of principles which are found in the articles of Confederation.” We see now that High Federalist Hamilton and limited Federalist Madison agreed that the states under the proposed constitution were sovereign and maintained the sovereign, free, and independent authority they, as individual states, acquired in the Treaty of Paris of 1783 and maintained via Article II of the Articles of Confederation.

Anti-Federalists’ Warning—Don’t Trust Big Government

The chief political advantage the Anti-Federalists held over their Federalists opponents was that the Anti-Federalists could see beyond the immediate commercial and national defense benefit offered by the new “more perfect union” and see the latent genesis of tyranny contained in the proposed constitution. Their concern centered not so much on the document, but on the fact that the proposed constitution would, after all, be administered by men whose personal interests would naturally and eventually overwhelm their dedication to the spirit of limited federalism—assuming, of course, that Federalists had such dedication to limited federalism in the first place! The Anti-

Federalists understood that the mere paper barricade of the Constitution could be easily overwhelmed when men who had special interest in gaining and using federal power set about to improve themselves at the expense of the unorganized masses.

Patrick Henry was a leading Anti-Federalist who quickly diagnosed the fatal flaw in the proposed “more perfect union.” He realized that the new taxing authority proposed for Congress would become an open invitation for the powerful to exploit those with less power. He saw very quickly that the commercial interests of the Northern states so often championed by Alexander Hamilton would hold a voting advantage in Congress over the agricultural interests of the Southern states. He succinctly warned, “I am sure that the dangers of this system are real, when those who have no similar interests with the people of this country [Virginia] are to legislate for us—when our dearest interests are to be left in the hands of those whose advantage it will be to infringe them.” Patrick Henry read the tea leaves of America’s political destiny correctly. While the moderate Federalists were looking to gain more national security and commercial prowess—at the price of liberty—he was looking to America’s legacy of liberty: “The first thing I have at heart is American *liberty*, the second thing is American Union.”

Anti-Federalists understood the fact that man tended toward evil, and therefore they felt that men should not be tempted with unchecked governmental power. Men such as Virginian John Taylor of Caroline were so distrustful of government that they had little faith in even a written constitution or any system to check the abuse of power of government because as he stated, “Great power should never be granted in the first place.” Thomas Jefferson and James Madison both noted that men were not “angels”

and could not be trusted with the administration of an unlimited government. In a letter to Spencer Roane, Jefferson at age seventy-five expressed a similar attitude toward the danger of government: “[It is] an axiom of eternal truth in politics, that whatever power in any government is independent [unchecked], is absolute also: in theory only, at first, while the spirit of the people is up, but in practice, as fast as that relaxes.” The great fear of Anti-Federalists and many moderate Federalists was that the federal government would become an “unchecked” centralized power. Jefferson and the Anti-Federalists warned that the paper barricade of the Constitution would not withstand the onslaught of special interests—that there was great danger that the rights reserved to “we the people” of the sovereign states under the Constitution would one day be usurped by “those whose advantage it will be to infringe them.” In the real world of American politics—the Anti-Federalists were right!

Rejected Federal Government Overthrows Legitimate Federal Government

The Anti-Federalists were not opposed to the federal government—the federal government already existed under the Articles of Confederation. At no point in the debates at the constitutional convention or the ratification debates in the various state legislatures or the public writings of Anti-Federalists can there be found statements encouraging the abandonment of the federal government—changes, modifications, and limitations were argued, but not abandonment of the concept of a federal Republic of Republics. The Anti-Federalists were not opposed to the federal government, but they, as well as moderate Federalists, were opposed to the dangerous concept of federal supremacy! Not only were they opposed to it, but the Founding Fathers in convention, in the *Federalist Papers*, and in their ratifying state legislatures, specifically rejected the

notion of a supreme federal government—a government that would have ultimate jurisdiction over the sovereign states. Yet, today we live under a system of federal supremacy. (See **The Harsh Reality of Federal Supremacy**, on page 98). The question remains, “How did America move from a federal Republic of Republics to a centralized, all-powerful, supreme federal government?”

High Federalists were initially defeated at the constitutional convention, but they never relented in their drive for an “energetic” all-powerful federal government. In 1790 the High Federalist Alexander Hamilton was busy with a scheme to assist his friends in the commercial community of New York by expanding federal powers over banking. He wanted to establish a national bank similar to the Bank of England to promote commerce—recall Patrick Henry’s warning that one day the forces of commerce would use the federal government to advance their interests while forcing those engaged in agriculture to pay the cost of supporting commerce!

The problem facing Hamilton was that the Constitution was silent regarding such matters as banking. Jefferson argued that Congress could not establish a bank absent specific authority in the Constitution. Hamilton argued that even though such powers were not specifically enumerated in the Constitution, such powers were “implied” by language found in the “general welfare” and “necessary and proper” clauses of the Constitution. “Implied powers” was Hamilton’s vision of a living constitution. Implied powers is a system of constitutional interpretation in which politicians and jurists are allowed to find all manner of unspecified but “implied” powers in the Constitution—unfortunately the High Federalist system of constitutional interpretation/construction won the day. In 1791 Congress created the First Bank of the United States—which in

short order became a boon to those with close connections to the bank and politicians who supported the bank.

In 1793 the federal Supreme Court under Chief Justice John Jay (all High Federalists) demonstrated how High Federalists could use their position to enlarge federal powers. It is worth noting that the U.S. Supreme Court had its early meeting in the New York City Stock Exchange. *The Oxford Companion to the Supreme Court of the United States* describes Chief Justice Jay as “a vocal advocate of a coercive, departmentalized federal government with vigorous executive and judicial branches and a Congress capable of securing economic stability. He took great satisfaction in the move toward a strong federation....Jay expected that its [the Federal court’s] original and exclusive jurisdictions might be exploited to ensure the supremacy of federal law and to force state compliance...” The first great attempt to use the federal court to expand federal powers—and therefore reduce the power of the sovereign state—came in a 1793 case, *Chisholm v. Georgia*. The Jay court ordered the state of Georgia to submit to the authority of the federal Supreme Court—an order the sovereign state of Georgia did not take lightly. (See the response of the Georgia legislature on page 70.) During the ratification debates Anti-Federalists had raised the specter of a sovereign state being compelled to submit to the jurisdiction of the federal courts, but their legitimate concerns were brushed aside by High Federalists such as Hamilton who declared in *Federalist Papers* number 81 that “[i]t is inherent in the nature of sovereignty not to be amenable to the suit of an individual *without its consent*. This is the general sense and the general practice of mankind: and the exemption, as one of the attributes of sovereignty, is now enjoyed by the government of every State in the Union.”

[Emphasis in the original.] Yet, even though the states had been assured by the High Federalist Alexander Hamilton that the sovereign state would never be compelled to submit to the federal courts—in 1793, less than five years after the adoption of the Constitution, the federal judiciary was attempting to expand federal powers over the sovereign state. The states responded with the passage of the Eleventh Amendment. The battle had been joined, and from that point onward the High Federalists would never relent.

The Federalist-controlled Congress passed the Sedition Act on July 14, 1798, which basically made it a crime to print, publish, or utter criticism of the federal government. Although this harsh federal law was an open violation of the right of free press and speech, the federal Supreme Court upheld and enforced this oppressive federal act. Here we see a mere decade after the adoption of the Constitution every branch of the federal government conspiring to violate rights plainly reserved to “we the people.” Thomas Jefferson and James Madison responded by composing the Kentucky and Virginia Resolves in which they announced to the world that the sovereign state is the final judge as to whether or not an act of its agent the federal government is pursuant to the Constitution. The Resolves of 1798 are the hallmark of the State’s Rights school of American political ideology. These resolves clearly demonstrate that the authors and the states that endorsed these resolves believed that sovereign authority resided not with the federal government, but with “we the people” within our respective sovereign states.

In 1803 High Federalist Chief Justice John Marshall established the doctrine of judicial review by which he asserted that only the U.S. Supreme Court had final

authority to determine whether a law or an act of the federal government is constitutional. The net effect of this doctrine was to establish that sovereign authority in America resided with the federal government—because only the sovereign could determine the extent of the sovereign’s authority. Thomas Jefferson responded that the federal courts had no right to claim the exclusive right of judging the constitutionality of federal acts and described judicial review as “the right they [federal courts] usurp of exclusively explaining the constitution.” Writing to Abigail Adams he noted that allowing this right to reside exclusively in the judiciary “would make the judiciary a despotic branch.” Even though advancing in age Jefferson could see plainly the approaching tyranny of a supreme federal government. Writing to Archibald Thweat on January 19, 1821, Jefferson foresaw that “[t]he judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass.”

Working gradually and without intermission the forces promoting a supreme federal government completed their work. In 1828 Congress passed the Tariff of Abominations, which severely punished the agricultural states for the benefit of the commercial states. The sovereign state of South Carolina refused to collect the discriminatory tariff. The federal government responded with threats to invade the state. South Carolina then threatened to secede from the “voluntary” union. By this time it had become clear that the forces of supreme federalism felt strong enough to threaten the use of bloody bayonets to compel state submission to federal authority.

In the 1840s radical abolitionists next came forward with their constitutional theory of “higher law” in which the courts were encouraged to look beyond the written language of the Constitution to find other—outside of the Constitution—support for

social change. With the advent of Abraham Lincoln (1860), and the war (1861-65) he initiated against the Southern states that elected to withdraw their consent from the old “voluntary” union, the day of complete federal supremacy was at hand. After the close of the unsuccessful War for Southern Independence, Radical Republicans pushed through Congress and compelled the states to accept the Fourteenth Amendment (1868), which with the aid of the Supreme Court’s Incorporation Doctrine (beginning in 1897), made the states subservient to federal courts. By the turn of the century (1900) the progressive/socialist movement was in full force and the “living constitution,” interpreted exclusively by the federal court, became a permanent and dominant aspect of America’s political life. From that time forward, “we the people” of the once sovereign states became the subjects of big government in Washington, DC. Just like subjects of an oppressive king—the only recourse “we the people” now have is to present ourselves before our political master as supplicants and beg for relief! I can almost hear Patrick Henry and other Anti-Federalists saying, “See, I told you so!”

Chapter 14: The State Sovereignty Amendment

THE STATE SOVEREIGNTY AMENDMENT[©]

These United States of America are a Republic of Republics deriving its authority from the consent of the governed residing within their Sovereign State. Each Sovereign State is the agent of the people thereof. The federal government formed by the compact of the United States Constitution is the agent of the Sovereign States. Federal authority shall be supreme in all areas specifically delegated to it by the Constitution. All acts or legislation enacted pursuant to the Constitution shall be the supreme law of the land. The Sovereign State reserves an equal right to judge for itself as to the constitutionality of any act of the federal government.

Section I. The Sovereign State specifically reserves the right to interpose its sovereign authority between acts of the federal government and the liberties, property, and interests of the citizens of the state, thereby nullifying federal acts judged by the state to be an unwarranted infringement upon the reserved rights of the state and the people thereof.

1. State nullification of a federal act must be approved by a convention of the state.
2. Upon passage of an act of nullification, all federal authority for the enumerated and nullified act(s) shall be suspended.
3. Upon formal acceptance of nullification by three-fourths of the conventions of the states, including the original nullifying state, the enumerated federal act(s) shall be prohibited in the United States of America or its territories.

4. Upon formal rejection of nullification by three-fourths of the conventions of the states, the enumerated federal act(s) shall be presumed to be constitutional, notwithstanding any judgment of any federal or state court.
5. Until or unless there is a formal approval or rejection by the conventions of the states, the nullified federal act(s) shall remain non-operative as to the original and any additional nullifying states. A state that in its convention ratifies a particular act of nullification shall be construed to have nullified the same act as enumerated in the initiating state's nullification.
6. No federal elected official, agent, or any individual working within or associated with any branch of the federal government may harass or attempt to harass, intimidate, or threaten a Sovereign State or the people thereof for exercising their rights under this amendment. No federal elected official, agent, or any individual working within or associated with any branch of the federal government shall attempt to influence or use their office to attempt to influence the deliberations of the people regarding the nullification of a federal act(s) or the acceptance or rejection of a nullified federal act(s).
7. Any United States military officer, noncommissioned officer or federal official or agent who carries out or attempts to carry out any order by a federal official, officer or agent to deny or hinder the people of a Sovereign State from exercising their rights under this amendment shall be subject to the offended state's laws and may be tried accordingly. Jurisdiction in such cases is specifically denied to all federal courts, military courts, or any other court other than the courts of the offended state.

Section II. The government and people of these United States approve the principle that any people have a right to abolish the existing government and form a new one that suits them better. This principle illustrates the American idea that government rests on the consent of the governed and that it is the right of a people to alter or abolish it at will whenever it becomes destructive of the ends for which it was established. Therefore, the right of a Sovereign State to secede peacefully from the union voluntarily created by the compact of the Constitution is hereby specifically reserved to each state.

1. An act of secession shall be executed by a convention of the people of the state.
2. The seceded state shall appoint representatives to negotiate settlement of all debts owed the federal government, the purchase of federal properties within the Sovereign state, and the removal of federal military installations and personnel.
3. Upon acceptable arrangement for the payment of sums owed the federal government, the representatives may negotiate treaties of friendship, common defense, and commercial relations. Said treaties are subject to the same constitutional ratification as other treaties.
4. Readmission of a seceded state shall follow the same constitutional requirements as for any new state.
5. No federal elected official, agent, or any individual working within or associated with any branch of the federal government shall attempt to

- influence the people of the Sovereign State regarding their decision to secede from, remain with, or join this union.
6. Any United States military officer, noncommissioned officer, or federal official or agent who carries out or attempts to carry out any order by a federal official, officer, or agent to deny or hinder the people of a Sovereign State from exercising their rights under this amendment shall be subject to the offended state's laws and may be tried accordingly. Jurisdiction in such cases is specifically denied to all federal courts, military courts, or any other court other than the courts of the offended state.
 7. The duty of the people of the Sovereign State to exercise their inalienable right to govern themselves is a right that existed before the formation of the federal government, and therefore nothing in this amendment shall be interpreted in such a manner as to deem the federal government to be the donor of the rights as exercised by the people of the states.

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Chapter 15: Joint Resolution Calling for State Sovereignty Amendment

State of _____ Joint Resolution—(year)—Legislative Session

Whereas the powers and authority of the Federal Government of these United States are derived from a conditional delegation of powers and authority from the Sovereign States comprising these United States, and

Whereas the scope of authority for the Federal Government is limited to those powers and authority specifically delegated to it by the States in the compact titled a Constitution for the United States of America, and

Whereas only those laws made pursuant to the Constitution are to be accepted as supreme law of the land,

Therefore, when a conflict between the people of a Sovereign State and the Federal Government arises regarding the Constitutionality of acts of the Federal Government, the Sovereign State may exercise its Sovereign authority reserved under the Ninth and Tenth Amendments of the Constitution to nullify unconstitutional acts of its agent the Federal Government as it relates to the people residing within that State.

Now therefore, be it resolved that the Sovereign State of _____ hereby calls on the Congress of these United States to submit to the States of this Union an amendment to the United States Constitution specifically acknowledging the State's Right to nullify acts of the Federal Government that the Sovereign State declares by an act of the state legislature to be nullified as to that specific state and the people thereof.

And let it be further resolved that; upon the passage this or similar resolution by 34 states, if the Federal Congress has not submitted an acceptable amendment to the states for their consideration, then this legislature calls for the convening of a Constitutional Convention for the sole purpose of submitting to the States an amendment to the United States Constitution acknowledging the State's Right of nullification.

Chapter 16: The Harsh Reality of Federal Supremacy!

California, Arizona, and Louisiana

“We the people” of the once sovereign states live in the shadow of federal tyranny. For example; when the people of California expressed their sovereign will in an open plebiscite regarding the legal definition of marriage, a federal judge nullified the will of the people; when the elected legislature of Arizona passed a law to defend the people of that once sovereign state against armed criminal invasion originating from a foreign country, the federal president filed a suit in federal court to prevent Arizona from executing its inalienable right of self-defense; and when the elected governor of Louisiana attempted to protect his state from a man-made disaster in the Gulf of Mexico, the federal bureaucracy stepped in and halted his efforts. The central theme of all of these examples is the fact of the harsh, oppressive, and unconstitutional reality of America’s current system of federal supremacy.

In contemporary America there is a great divide between the unrepresented *taxpaying* class and the federally represented *tax-consuming* class. Those tax consumers who support the political status quo in Washington, DC, and their political hirelings find nothing unusual, and actually celebrate the outcomes of the three examples above. The perks, privileges, and powers that are derived from the status quo or the close connections they enjoy with the status quo benefit the tax-consuming class. Therefore they find great incentive to encourage the expansion of federal supremacy. Politicians such as Peter Stark, who recently declared that the federal government could do anything it wanted; or Nancy Pelosi, who declared that issues regarding

constitutional authority for congressional actions were “not a serious question;” or President Barak Obama’s declaration while running for office that the federal government had a right to redistribute Joe the Plumber’s wealth—all are mere examples of the pervasive acceptance by America’s political status quo of the notion that the Constitution as an instrument to limit federal powers and protect individual rights reserved to “we the people” of once sovereign states are no longer relevant ideas in modern America.

The concept of federal supremacy is not new; it did not originate with the Obama administration nor with the Democratic Party, but began early in America’s constitutional history. The adoption and enthusiastic acceptance of federal supremacy by the political status quo reflects a strategic shift in the manner in which American liberty is defined. Prior to Appomattox, even in many Northern states, it was accepted as a tenet of American political faith that the states created the federal government and that “we the people” of the sovereign states were the final judge as to the constitutionality of the actions of our agent—the federal government. But as Governor Richard Yates of Illinois noted in 1865, the War for Southern Independence had “tended, more than any other event in the history of the country, to militate against the Jeffersonian idea that the best government is that which governs least.”

Too many modern-day “conservatives” take great hope in elections—seeing the possibility of Republicans reclaiming control of Congress or the presidency as a solution to the harsh reality of federal supremacy. Unfortunately this is false hope! As in a military campaign, mere tactical victories may be impressive, but they do not procure final victory. The heroic victory of Manassas (that’s Bull Run for those schooled in mere

Yankee history) did not stave off the final sad reality of Appomattox—tactical victories regardless of how exciting—are no substitute for a strategic victory. Yet one more false promise of a Republican “Contract with America” will produce nothing more than possibly one more exciting “conservative” tactical victory. At the end of the day, however, the political status quo in Washington, DC, and the federal supremacy that is absolutely necessary for the preservation of the political status quo, will remain intact and ready to be harshly applied when next called upon. “We the people” of the sovereign states do not need tactical victories, we need a strategic victory—a victory that permanently deprives the power elite of the unconstitutional perks, privileges, and powers inherent in their system of federal supremacy!

The only way to gain a strategic victory over the current system of federal supremacy is to pass a constitutional amendment acknowledging the inalienable right of “we the people” within our individual sovereign states to nullify acts of our agent, the federal government, which we judge to be beyond its constitutional authority.

Chapter 17: Will Tea Party Conservatives Become Liberalism's Useful Fools?

The pejorative term “useful fools” or the harsher term “useful idiots” was attributed to Vladimir Lenin by American anti-communists to describe liberals during the Cold War whose policies, whether intentional or not, tended to support international communism. Useful fools generally refer to those who unwittingly support a malignant cause through their “naïve” attempts to be a force for good. My concern is that honest American patriots in the Tea Party Movement (TPM) will unwittingly be used (“fooled” as in tricked) by America’s professional political ruling class into actually helping the political establishment in their never-ending efforts to maintain the political status quo.

America’s current system of federal supremacy provides the ruling elite in Washington, DC, with power, perks, and privileges undreamed of at the founding of this once constitutionally limited Republic of Republics. Our political ruling elite use the current political system to dispense favors to K-Street lobbyists representing large national and international corporate interests; political allies from large Wall Street financial firms; labor unions; and leftist social welfare groups. This well-established group of special interests will not sit idly by and allow a system of governance that has become so lucrative for them to be fundamentally changed—regardless of how many TPM conservatives are elected, the political status quo will not fundamentally change.

But you may ask, “What does that have to do with the TPM becoming liberalism’s useful fools?” The answer is deceptively simple. The key reason that the federal government has become too big, spends too much, borrows too much, and uses its power to foist oppressive and obnoxious policies on “we the people” is that the current federal government has no controls, no checks on the use of its powers, outside of

Washington, DC. Just like a king in the age of absolute monarchy, the federal government is the final authority as to the extent of its powers—an ideal system of government for any tyrant! As long as the unconstitutional system of federal supremacy remains in place, the status quo is secure. For example, recall when conservative victories at the polls forced President Bill Clinton to declare that “the era of big government is over.” Conservatives who cheered and celebrated Clinton’s words were in fact useful fools—in the sense that we were tricked into believing Clinton’s words—we thought we had won when in reality liberalism merely stepped back while we celebrated. And when the celebrating was over, liberals used the machinery of federal supremacy to continue the advance toward their dream of an American nominal socialist state.

The problem is not with us conservatives who elect and send the right people to Washington, DC; the problem is with the political status quo whose power center is in control of Washington, DC! Regardless of how exciting elections may be, elections alone will not solve the problem—the only solution is to make a fundamental change in the current system of federal supremacy. Think of the current political system of federal supremacy as an attractive nuisance drawing the attention of parasitic entrepreneurs who flock to Washington with the intention of getting their share of vast amounts of OPM (other people’s money) collected by the federal government. As long as the nuisance is there, crafty people will find ways to take advantage of the system. These crafty people may be corporate lobbyists or social welfare lobbyists, but they will find a way to “game” the political system. They and the political ruling elite have a shared interest in keeping the current system in place. Remember James Madison’s warning:

“Where there is power, and an interest to use it, wrong will be done.” Conservatives play into the hands of liberals by failing to recognize the harsh reality that a fundamental political change is required in order to solve the problem of big government. When conservatives fail or refuse to acknowledge the need for fundamental change, they unwittingly become partners with liberals in maintaining the political status quo—they become liberalism’s useful fools!

Sovereign authority, in the original American system of constitutionally limited federalism, resided with “we the people” of the sovereign states. Authority for government arose from the people of the sovereign community who delegated a portion of their authority to form their state government; the state then delegated an even smaller portion of its authority to the federal government—at no time can it be shown that delegated authority was in fact surrendered authority! “We the people” of the sovereign states did not create a sovereign federal government to hold and exercise unlimited power over the people of the states.

If the TPM wants to maintain the current system of federal supremacy, a system in which the federal government is the final judge of its powers and the people are subject to the sovereign will of the federal government, then they should just keep electing good conservatives and send them to Washington, DC. Once our elected conservatives get to Washington they are marginalized or they eventually become a part of the political status quo. In either case our elected conservative represents no real threat to the political status quo. If the TPM wants to avoid becoming liberalism’s useful fools, then they must act to produce a fundamental change in the political status quo. The only way to do this is by enacting a constitutional amendment acknowledging

the inalienable right of “we the people” of the sovereign states to nullify unconstitutional or onerous federal acts.

Chapter 18: The Irrational Fear of a Constitutional Convention

On page 97 is a resolution to be used by a state desiring to call for the passage of a nullification amendment to the federal Constitution. Note that the resolution contains an initial call on Congress to submit the amendment to the states. *But* if Congress fails to respect the will of the people by submitting the nullification amendment to the states, then the constitutional majority of states (33) will call for a constitutional convention to remedy the issue of unconstitutional Federal supremacy. The ability of “we the people” of the sovereign states to call a constitutional convention is the leverage we will use to force a reluctant federal Congress to respect the will of “we the people.” Congress can avoid a constitutional convention by submitting to the states a constitutional amendment acknowledging the State’s Right of nullification.

Occasionally people will express concern that a constitutional convention could “go wild” and produce constitutional amendments that would empower an extremely oppressive federal government. First of all—we already have an oppressive federal government, one controlled by a ruling elite who use said government to benefit themselves and those close to the ruling elite! Second, any amendment proposed by a constitutional convention must be submitted to the states and then receive ratification from three-quarters of the states (38 states). Third, the resolution calling for a constitutional convention specifically states that the purpose of the constitutional convention would be limited to consideration of a nullification amendment. Fourth, if “we the people” are organized to the extent that we can push our joint resolutions through enough state legislatures necessary to call for a constitutional convention (two-thirds of

the states—33), then we will be strong enough to prevent ratification of any amendments submitted by an “out-of-control” convention.

Risks are always present, but the greater risk is to refuse to use every rational and peaceful method available to force a radical and fundamental change in the current, unconstitutional system of Federal supremacy. The call for a constitutional convention is our fallback position—a threat that even Congress will not dare ignore. If used correctly the call will become moot when Congress submits our amendment to the states. But Congress, controlled by the ruling elite, will not do this willingly. That is why “we the people” must organize within our respective sovereign states and compel Congress to submit to the states an amendment that will return to “we the people” of the sovereign states the right to once again be the masters in our own homes.

The fear of a “run-a-way con-con” is nothing more than a scarecrow used to discourage “we the people” from using (or even threatening to use) the one weapon available to the people to overcome the political status quo’s determined resistance to a fundamental change in our current, unconstitutional system of federal supremacy. If “we the people” of the once sovereign states continue to “play” their game, according to their rules and refereed by their courts, then “we the people” will remain forever subjects of the ruling elite in Washington, DC. Our current situation will not fundamentally change until we take bold and audacious action—timidity guarantees continuation of the political status quo—the continuation of the dictatorship of federal supremacy!

Chapter 19: Nationalism—Opium of Confused Conservatives

No doubt but that the above title will initially be rather infuriating to many conservatives. This is because too many Americans today equate nationalism with patriotism. These words do not carry the same meaning and when applied to national politics they produce very different results as it relates to the preservation of personal liberty, limited government, and respect for the constitution.

The inability of conservatives to distinguish between nationalism and patriotism was driven home recently when a local DJ on WWL (“Rush Radio” New Orleans) morning program made a vicious attack on Representative Ron Paul. The DJ accused a Ron Paul supporter of being “lead around by the nose” by CNN! The insulting manner in which Ron Paul’s supporter was handled would be understandable if the DJ was a liberal/progressive/socialist but the DJ claims to be a true blue conservative whose main interest is to find a Republican presidential candidate who will be able to defeat Obama.

The DJ’s main complaint against Ron Paul is that he was an isolationist who wants America to retreat back within our borders and leave the rest of the world alone, thereby allowing extremists to ultimately destroy ancient cities and civilizations in the mid-east—without America’s footprint all over the world, according to this logic, evil will triumph and be free to do horrible things to lands, cities, and people far away. This DJ views America as a force for “good,” ready to compel others to abide by our dictates or else suffer the military consequences.

While it might be relatively easy to define “force” it becomes more problematic to define “good.” The DJ’s definition of “good” would most likely be radically different from Obama’s definition, whose definition would be different from John McCain’s definition,

whose definition would be different from Sarah Palin's definition etc, etc., etc. Using the DJ's standard America would be a force for good all over the world but the definition of good would have to change every time America changed presidents or the control of Congress or maybe even every time the Federal Supreme Court changed!

Nationalism celebrates force; it frolics in force; international status is nurtured and grows with force. Force expands the nation's control over its own people every time it is successfully applied to an enemy; therefore pure nationalists seek enemies to destroy. Nationalism looks beyond the nation's borders for opportunities to expand the nation's influence—be it economic, ideological, commercial and/or military influence or, when the opportunity allows, not just influence but absolute control. Notice that this new "nation of force" will ultimately look and act more like an empire than a simple nation.

Patriotism, on the other hand, is local; it looks inward to a community with local traditions. Patriots see the nation as a means to protect local communities that compose the nation. Patriots are members of local communities and their primary desire is simply to be "let alone." Patriots view people residing outside of the nation's borders as possible trading partners in which they can engage in voluntary exchange—an exchange in which both sides gain. Patriots rally to the flag to defend the nation because the nation is necessary to preserve and defend local communities. Whereas nationalists need and ardently seek to create and expand a strong centralized supreme and ultimately oppressive national government. Patriots, on the other hand, seek to create and maintain local self-government that allows for maximum liberty (i.e. minimum taxation, regulation, etc.) for we the people at home in our local communities.

This sense of “minding our own business” or being “let alone” can be seen in John Adam’s warning that America should “... not go abroad in search of monsters to destroy.”; or Thomas Jefferson’s admonishment that America seeks to be “... friends with all nations—entangling alliances with none.”; or George Washington’s advice to avoid “foreign entanglements”. Nationalists, DJs and others, seek to paint this traditional American view as somehow being un-American.

The truth is that personal liberty, limited government, and a constitutional republic cannot exist when nationalists make up the nation’s ruling elite. Nationalists will use any means that will allow them to consolidate power—thereby taking power/control away from “we the people” at the local level and transferring it to the centralized, nationalist, (big) government.

At this point one can almost hear the nationalists howling, “How would you isolationists deal with the 9/11 attack on America?” First, we are not isolationists—we want to engage in voluntary exchange/commerce with people all over the world. We have no desire to build a wall around America in order to shut ourselves off from the world. Nationalists use the term “isolationists” the same way PC liberals use the word “racists”—they both use their magic words to shut down civil discourse because they have no logical argument. Secondly, we knew who attacked us on 9/11, we knew where their headquarters were and we knew what country was providing them aid and comfort. An ultimatum should have been given—“Hand over the leaders and all of their followers in your country within 48 hours or else.” The “or else” would consist of a mushroom cloud over the training camps and every military and terrorist instillation in the country. Nationalists would argue that we could not afford to do such a thing but according to

nationalists we could afford thousands of American soldiers dead and wounded (soldiers drawn primarily from mid to lower income families) and costing a trillion dollars at a time when families in our local communities are suffering from a failing economy. All it would take is one example and no other country would allow such organizations to operate in their country! But one quick and overwhelming strike would not serve the primary purpose of nationalists—to increase the national footprint around the world while restricting liberty at home—all in the name of national security!

This is a warning to all conservatives who believe in the primacy of personal liberty, limited government and constitutionalism. Nationalists of both political parties never allow a crisis to pass—they know how to rattle the saber in order to rally patriots around the flag and then convince limited government conservatives to “violate the free market in order to save it” or to surrender just a little privacy in order to be more secure. Yet each year the free market is less free, more regulated and less able to grow a productive, jobs producing, economy; government has its hand deeper in our pockets (and now even in other private personal places); and the only thing that is secure is the system of supreme federalism that provides nationalists ruling elites of both political parties with almost unlimited perks, privileges, and power—all paid for by an increasingly oppressed and once free people.

After the unfortunate close of the War for Southern Independence, General Robert E. Lee predicted that if a system of federal supremacy eventually governed America, the country would become “aggressive abroad and oppressive at home.” Is the current system of supreme federalism and the domestic and international policies it enforces conducive of personal liberty, limited government, and a constitutional

republic? Or have we rejected traditional patriotism and converted to nationalism and in the name of national security become aggressive abroad and oppressive at home? Do we have a right to be the world's international policeman in order to force the world to be "good" according to our temporary definition of "good"? And when nationalists answer yes—the next question is: "Can we afford it?"

Chapter 20: Who are the Kennedy Twins?

THE KENNEDY TWINS

So Many Books—But Only One Goal

Liberty!



Since 1991 James Ronald and Walter Donald Kennedy have produced ten books and are currently (2011) working on two others as well as writing scores of articles and presenting lectures/speeches in more than thirty states. Both are successful

professionals who work, pay taxes, and raise families just like every other productive American.

The Kennedy brothers have dedicated an extremely large portion of their private lives to a cause they described in their first book, *The South Was Right!* as a “radical restoration” of a constitutionally limited Federal government and a restoration of America’s original republic of republics where true American State’s Rights exist. In their most recent book (2010), *Nullifying Tyranny: Creating Moral Communities in an Immoral World*, they address the dilemma faced by Christians when God’s people are forced by a Federal government controlled by secular humanists to supply tax revenues to support anti-Christian political policies and programs. In *Nullifying Tyranny* they demonstrate that under a system of government based on constitutionally enforceable State’s Rights this modern-day dilemma faced by Christians would not have occurred.

The right of nullification, reserved by the states in the Ninth and Tenth Amendments, provides Christians, who are a majority within most of their respective sovereign states, the means to comply with God’s commandment to “be ye separate” and to “be ye not unequally yoked with unbelievers.” This spiritual separation from evil can be done while maintaining the essential political role of the American Union as envisioned by the founding fathers. Not being satisfied with mere theory they present a call to fellow believers in true American liberty and moral governance to initiate a movement to enact a nullification amendment using traditional political efforts but stressing the need to work in a manner different from that of prior “conservative” efforts—that is, the usual conservative effort of simply relying on electing “good” conservatives to national office. *Nullifying Tyranny* demonstrates that a government

based on true State's Rights will allow moral Americans the political means to avoid the dilemma of "Shall we obey man or God?"

In *Reclaiming Liberty* (2005) Ron Kennedy demonstrates that the past one hundred years have been a century of conservative political failure. Ron takes aim at the political status quo by demonstrating that while the Republicans have been the "keepers of the flame" for past liberal (nominal socialist) victories, the Democrats have been nominal socialist pioneers. Liberal Democrats have pushed back the limitations on centralized federalism, constantly infringing upon what is left of our reserved rights and promoting an ever-increasing cabal of corporate and social welfare parasites who dutifully provide funding and votes for incumbents of both political parties. The constitutional right of nullification is demonstrated as the only effective way for "we the people" to negate the left-of-center control of our money (the Federal Reserve), our education system (politically correct indoctrination centers), provide a liberty-based society in which consumers determine price and quality of items such as health care while avoiding economic boom/bust cycles (recall the housing bubble created by the Fed and Congress) and where productive citizens create sustainable economic prosperity. Theory is joined with action by demonstrating how "we the people" can use (party hacks would say abuse) the political party election cycle to force those in power to submit our nullification amendment to the states for ratification.

In the first four chapters of *Why Not Freedom!* (1995), the Kennedy brothers demonstrate the original intention of America's founding fathers to create a constitutionally limited Federal government while reserving all non-delegated powers to the sovereign states. The next twenty-one chapters are used to demonstrate the

numerous ways in which the Federal government has infringed upon the rights originally reserved to “we the people” within our sovereign states. The last four chapters are used to discuss the wording of the nullification amendment (The State Sovereignty Amendment) as well as review the political measures that can be used to join theory with action.

In *Was Jefferson Davis Right?* the Kennedy brothers present an argument that President Jefferson Davis was not a traitor when he accepted the presidency of the Confederate States of America during the War for Southern Independence but was acting on the same principles that encouraged the Colonial fathers to secede from Great Britain in 1776. The book presents President Davis as an American patriot who was loyal to the Original Constitution and while serving in Congress or as a member of President Franklin Pierce’s cabinet constantly worked to preserve the constitutional union of free, independent, and sovereign American states.

Donald Kennedy and Al Benson, Jr., take on Abraham Lincoln—the icon of Federal supremacists both liberals and conservatives—in *Lincoln’s Marxists* (2011). Most conservatives think that the era of nominal socialism began at the turn of the twentieth century with the American Socialist Party and their progressive/populist fellow travelers. The truth is that the failure of the European socialist revolution in 1848 sent numerous socialists into exile in America. The vast majority of these socialists associated themselves with Lincoln’s efforts to destroy Southern independence and therefore create a centralized, supreme, Federal empire. Many conservative Republicans are shocked to discover that the growth of the Republican Party was enhanced by the growing number of European socialists and Marxists who joined the

party! Perhaps the greatest shock is the demonstration of the almost identical explanation used by Abraham Lincoln and Adolf Hitler to describe their view of the subservient role of the states in the American Union! This book demonstrates the simple fact—a fact constantly alluded to if not directly stated in all of the Kennedy brothers’ books—“we the people” cannot rely on the goodwill and integrity of politicians and party bosses when it comes to protecting our constitutionally reserved rights.

Non-traditional political theory and non-traditional political action have been the hallmark of books written by the Kennedy brothers. In each book the political theory of constitutionally limited federalism, true State’s Rights, and the ultimate right of “we the people” to be the final arbiter of our reserved rights via our sovereign state have been the constant political theme. Various non-traditional political tactics have been discussed, but the central idea is that “we the people” must not allow those whose interest it would be to maintain the political status quo (the ruling elite) to prescribe to us the manner in which we must fight to regain our liberty. All political tactics must be designed and implemented with the view of ultimately procuring a strategic political victory (the ratification of the nullification amendment) by which the ruling elite will be forever removed and “we the people” once again blessed with a “frugal” Federal government that does not “take from the mouth of labor” the bread it has honestly earned.

Deo Vindice

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