



THE PATRIOT POST®

VOICE OF ESSENTIAL LIBERTY

THE ESSENTIAL
LIBERTY PROJECT
ESSENTIALLIBERTY.US

ESSENTIAL LIBERTY

A treatise on restoring Rule of Law over the rule of men, to ensure Liberty prevails over tyranny

“They who can give up essential Liberty to obtain a little temporary safety, deserve neither Liberty nor safety.”-
-Benjamin Franklin

Sons of Liberty -- The Fight for Freedom

“The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.” --Thomas Jefferson

On December 16th, 1773, “radicals” from Boston, members of a secret organization of American Patriots called the Sons of Liberty, boarded three East India Company ships and threw 342 chests of tea into Boston Harbor. This iconic event, in protest of oppressive taxation and tyrannical rule, is immortalized as “The Boston Tea Party.”

Resistance to the British Crown had been mounting over enforcement of the 1764 Sugar Act, 1765 Stamp Act and 1767 Townshend Act, which led to the Boston Massacre and gave rise to the slogan, “No taxation without representation.”

The 1773 Tea Act and resulting Tea Party protest galvanized the Colonial movement opposing British parliamentary acts, which violated the natural, charter and constitutional rights of the colonists.

In response to the Colonial rebellion, the British enacted additional punitive measures, labeled the “Intolerable Acts,” in hopes of suppressing the burgeoning insurrection. Far from accomplishing their desired outcome, however, the Crown’s countermeasures led colonists to convene the First Continental Congress on September 5th, 1774, in Philadelphia.

By the spring of 1775, civil discontent was at its tipping point, and American Patriots in Massachusetts and other colonies were preparing to cast off their masters.

On the eve of April 18th, 1775, General Thomas Gage, Royal military governor of Massachusetts, dispatched a force of 700 British Army regulars, under Lieutenant Colonel Francis Smith, with secret orders to capture and

destroy arms and supplies stored by the Massachusetts militia in the town of Concord. However, Patriot militiamen under the leadership of the Sons of Liberty anticipated this raid, and the confrontation between militia and British regulars en route to Concord, was the fuse which ignited the American Revolution.

Near midnight on April 18th, 1775, Paul Revere, who had arranged for advance warning of British movements, departed Charlestown (near Boston) for Lexington and Concord in order to warn John Hancock, Samuel Adams and other Sons of Liberty that the British Army was marching to arrest them and seize their weapon caches. (Notably, the catalyst that launched the eight-year struggle for American independence had its beginnings with an effort by the government to disarm the people.) After meeting with Hancock and Adams in Lexington, Revere was captured, but his Patriot ally Samuel Prescott continued to Concord and warned militiamen along the way.

In the early dawn of April 19th, the first Patriots’ Day, 77 militiamen under the command of Captain John Parker assembled on the town green at Lexington where they soon faced Smith’s overwhelming force of British regulars. Parker did not expect shots to be exchanged, but his orders were, “Stand your ground.” When a few links away from the militia column, the British Major John Pitcairn swung his sword, and said, “Lay down your arms, you damned rebels!”

Not willing to sacrifice his small band of Patriots on the Green, Parker ordered his men to hold fire and disperse. However, none laid down their arms as demanded by the British. As Parker’s men dispersed, the British opened fire. Eight of Parker’s men were killed and 10 wounded. Parker later wrote in sworn deposition, “I immediately ordered our Militia to disperse, and not to fire: Immediately said Troops made their appearance and rushed furiously, fired upon, and killed eight of our Party without receiving any Provocation therefor from us.”

The British continued to Concord, where they divided up and searched for armament stores. Later in the day, the second confrontation between regulars and militiamen occurred as British light infantry companies faced rapidly growing ranks of militia and Minutemen at Concord’s Old North Bridge. From depositions on both sides, the British fired first on the militia, killing two and wounding four.

This time, however, militia commander, Major John Buttrick, yelled the order, "Fire, for God's sake, fellow soldiers, fire!" Fire they did, commencing with "the shot heard round the world," as immortalized by poet Ralph Waldo Emerson. Farmers and laborers, landowners and statesmen alike, pledged through action what Thomas Jefferson would later frame in words as "our Lives, our Fortunes, and our Sacred Honor." In the ensuing firefight, the British took heavy casualties and in discord retreated to Concord village for reinforcements, and then back toward Lexington.

In route to Lexington, the regulars took additional casualties, including those suffered in an ambush by the reassembled ranks of John Parker's militia -- "Parker's Revenge" as it became known. The British were reinforced with 1,000 troops in Lexington, but the King's men were no match for the militiamen, who inflicted heavy casualties upon the Redcoats along their 20 mile tactical retreat to Boston.

Thus began the great campaign to reject tyranny and embrace the difficult toils of securing individual Liberty. "[T]he people alone have an incontestable, unalienable, and in-defeasible right to institute government and to reform, alter, or totally change the same when their protection, safety, prosperity, and happiness require it," wrote Samuel Adams.

By the time the Second Continental Congress convened on May 10th, 1775, the young nation was in open war for Liberty and independence, which would not be won until a full decade later, at great cost of treasure and blood. Of the contest for Liberty, Thomas Paine noted, "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman."

On May 15th, Congress adopted a resolution calling on the states to prepare for rebellion. In its preamble, John Adams advised his countrymen to sever all oaths of allegiance to the Crown.

On July 6th, Congress approved the "Declaration of the Cause and Necessity of Taking up Arms," drafted by Thomas Jefferson and John Dickinson, which noted: "With hearts fortified with these animating reflections, we most solemnly, before God and the world, declare, that, exerting the utmost energy of those powers, which our beneficent Creator hath graciously bestowed upon us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance employ for the preservation of our

liberties; being with one mind resolved to die freemen rather than to live as slaves."

"Endowed by their Creator"

"In the supposed state of nature, all men are equally bound by the laws of nature, or to speak more properly, the laws of the creator." --Samuel Adams

A year later in Philadelphia, on July 4th, 1776, Jefferson and 55 merchants, farmers, doctors, lawyers and other representatives of the original 13 colonies of the United States of America, in the General Congress, Assembled, pledged "our lives, our fortunes and our sacred honor" to the cause of Liberty. They declared, "When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

Our Founders further avowed, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

Our Declaration of Independence was derived from common law, "the Laws of Nature and Nature's God," all men being "endowed by their Creator with certain unalienable Rights." It calls upon "the Supreme Judge of the world for the rectitude of our intentions" and "the protection of Divine Providence."

The Declaration's common law inspiration for the Rights of Man has its origin in governing documents dating back to the *Magna Carta* (1215), and was heavily influenced by the writings of Charles Montesquieu and John Locke.

However, its most immediate common law inspiration was William Blackstone's 1765 "Commentaries on the Laws of England," perhaps the most scholarly historic and analytic treatise on Natural Law.

Blackstone wrote, “As man depends absolutely upon his Maker for everything, it is necessary that he should in all points conform to his Maker’s will. This will of his Maker is called the law of nature. ... This law of nature, being coeval [coexistent] with mankind and dictated by God Himself is, of course, superior in obligation to any other. It is binding over all the globe, in all countries, and at all times; no human laws are of any validity if contrary to this. ... Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered [permitted] to contradict these.”

Justice James Wilson, a signer of both the Declaration of Independence and Constitution, and one of George Washington’s first nominees to the Supreme Court, wrote, “Law ... communicated to us by reason and conscience ... has been called natural; as promulgated by the Holy Scriptures, it has been called revealed... But it should always be remembered, that this law, natural or revealed ... flows from the same divine source; it is the law of God. Human law must rest its authority, ultimately, upon the authority of that law, which is divine.”

In 1776, the Second Continental Congress appointed a committee representing the 13 states to draft a formal document of incorporation, and then approved the Articles of Confederation and Perpetual Union for ratification by the states on November 15th, 1777. The Articles of Confederation were finally ratified on March 1st, 1781, and “the United States in Congress assembled” became the Congress of the Confederation.

“We the People”

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.” --George Washington and the delegates to the Convention

At the conclusion of the Revolutionary War in 1783, it was evident that the Articles of Confederation between the states did not sufficiently ensure the interests and security of the Confederation. In September 1786, at the urging of James Madison, 12 delegates from five states (New Jersey, New York, Pennsylvania, Delaware and Virginia) met in Annapolis, Maryland, to consider amendments to the Articles.

Those delegates called for representatives from all of the states to convene at the Pennsylvania State House in Philadelphia for full consideration of the revisions needed, and 12 states (Rhode Island declining) sent 55 delegates, a third of whom had signed the Declaration of Independence.

The most noted delegates were George Washington, Roger Sherman, Alexander Hamilton, Benjamin Franklin, James Madison and George Mason. (Thomas Jefferson was in Europe in his capacity as Minister to France, but he expressed his cautious support for the new Constitution in correspondence with Madison.)

Noticeably absent from the proceedings were Patrick Henry, Samuel Adams and Thomas Paine, who believed the Articles did not need replacement, only modification. They were concerned that a proceeding aimed at establishing a new constitution could place in peril our fundamental liberties. Summing up their sentiments, Henry wrote that he “smelt a rat in Philadelphia, tending toward the monarchy.”

The Philadelphia Convention (Constitution Convention) opened its proceedings on May 25th, 1787, and soon decided against amending the existing Articles in favor of drafting a new constitution. The next three months were devoted to deliberations on various proposals with the objective of drafting a document that would secure the rights and principles enumerated in the Declaration and Articles of Confederation, thus preserving Essential Liberty.

In late July, after much debate, a Committee of Detail was appointed to draft a document to include all the compromise agreements, but based primarily on James Madison’s Virginia Plan, establishing a republican form of government subject to strict Rule of Law, reflecting the consent of the people and severely limiting the power of the central government.

A month later, the Committee of Style and Arrangement, which included Gouverneur Morris, Alexander Hamilton, William Samuel Johnson, Rufus King and James Madison, produced the final draft of the Constitution, which was submitted for delegate signatures on September 17th, 1787.

Said Benjamin Franklin of the new document, “I confess that there are several parts of this constitution which I do not at present approve, but I am not sure I shall never approve them: For having lived long, I have experienced many instances of being obliged by better information, or fuller consideration, to change opinions even on important

subjects, which I once thought right, but found to be otherwise. ... Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure, that it is not the best.”

Of the 55 delegates, 39 signed the new Constitution while the remaining delegates declined, most out of concern that the power apportioned through the new plan was a threat to the sovereignty of the several states, and thus, to individual Liberty.

The ensuing ratification debates among the states were vigorous.

James Madison, John Jay and Alexander Hamilton authored *The Federalist Papers*, which advocated ratification of the new Constitution.

Patrick Henry’s Anti-Federalists opposed the plan under consideration because they believed it allocated too much power to the central government. Henry, Samuel Adams, George Mason, Robert Yates, Thomas Paine, Samuel Bryan and Richard Henry Lee were among those who spoke against ratification, and some authored several essays that were aggregated and published as *The Anti-Federalist Papers*.

The new Constitution stipulated that once nine of the 13 original states ratified it through state conventions, a date would be established for its implementation. This created controversy, as the document in question had no standing authority to make such a stipulation. However, once the ninth state, New Hampshire, reported its convention’s approval on June 21st, 1788, the Continental Congress set the date for enactment of the Constitution for March 4th, 1789.

With Rhode Island’s ratification on May 29th, 1790, all 13 states had endorsed the Constitution.

Though critical of many of its provisions, Thomas Jefferson wrote in reflection of the Convention and its product, “The example of changing a constitution by assembling the wise men of the state, instead of assembling armies, will be worth as much to the world as the former examples we had given them. The constitution, too, which was the result of our deliberation, is unquestionably the wisest ever yet presented to men.”

“To secure these rights”

“In order to prevent misconstruction or abuse of [the Constitution’s] powers...” --Preamble to the Bill of Rights

Endeavoring to further define our Constitution’s limits on government to encroach upon the innate rights of the people, James Madison, its primary architect, introduced to the First Congress in 1789 a Bill of Rights -- the first 10 Amendments to our Constitution -- which was then ratified on December 15th, 1791.

The Bill of Rights was inspired by three remarkable documents: Two Treatises of Government, authored by John Locke in 1689 regarding protection of “property” (in the Latin context, proprius, or one’s own “life, Liberty and estate”); the Virginia Declaration of Rights, authored by George Mason in 1776 as part of that state’s constitution; and, of course, our Declaration of Independence, authored by Thomas Jefferson.

There was great consternation regarding the enumeration of these rights, as such registration might be taken to suggest that they were subject to amendment rather than unalienable; granted by the state rather than “Endowed by [our] Creator.”

As Hamilton argued in Federalist No. 84, “Bills of rights, in the sense and to the extent in which they are contended for, are not only unnecessary in the proposed Constitution, but would even be dangerous. ... For why declare that things shall not be done which there is no power to do?”

On the other hand, George Mason was among 16 of the 55 Constitution Convention delegates who refused to sign because the document did not adequately address limitations on what the central government had “no power to do.” Indeed, he worked with Patrick Henry and Samuel Adams against its ratification for that reason.

As a result of Mason’s insistence, the first session of Congress placed these 10 additional limitations upon the federal government for the reasons outlined by the Preamble to the Bill of Rights: “The Conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution.”

Read in context, the Bill of Rights is both an affirmation of innate individual rights (as noted by Thomas Jefferson: “The God who gave us life gave us Liberty at the same time”) and a clear delineation of constraints upon the central government.

The Rule of Law

“In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.” --Thomas Jefferson

Article VI of our Constitution proclaims: “This Constitution ... shall be the supreme Law of the Land.”

For its first 150 years (with a few exceptions), our Constitution and the Rule of Law it enshrined, stood as our Founders and “the people” intended -- as is -- in accordance with its original intent. In other words, it was interpreted exegetically rather than eisegetically -- textually as constructed, rather than as a so-called “living” document, altered to express the biases of later generations of politicians and jurists.

But incrementally, constitutional Rule of Law in the United States has been diluted by the actions of those in the executive, legislative and judicial branches -- most notably, the latter -- at great hazard to the future of Liberty.

As Thomas Jefferson warned repeatedly, the greatest threat to the Rule of Law and constitutional limitations on central government was an unbridled judiciary: “The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its own will. ... The opinion which gives to the judges the right to decide what laws are constitutional and what not, not only for themselves in their own sphere of action but for the Legislature and Executive also in their spheres, would make the Judiciary a despotic branch.”

Jefferson understood that should our Constitution ever become a straw man for a politicized judiciary to interpret according to executive and legislative special interest constituencies, Rule of Law would gradually yield to rule of men -- the terminus of the latter being tyranny, as evidenced throughout history.

Our Framers did not subject judges to election to avoid political corruption, assuming judges would remain above such influences and true to the Rule of Law, thus protecting our Constitution from avarice and populist adulteration. Our Founders and early members of the judiciary were certainly men of such character, and singularly devoted to liberty and Rule of Law.

But as Jefferson predicted, many in the executive and leg-

islative branches would eventually abandon their oaths of obligation to our Constitution, and consequently, as they nominate and appoint judges, the judiciary would suffer a similar fate of corruption, which would then be difficult to correct because judges are protected from electoral eviction. In effect, it may be argued that all three branches of government have devolved into “despotic branches.”

Regarding the process of amendment prescribed by our Constitution, George Washington wrote, “If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates, but let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed.”

Alexander Hamilton concurred, “A sacred respect for the constitutional law is the vital principle, the sustaining energy of a free government.” He also wrote, “[T]he present Constitution is the standard to which we are to cling. Under its banners, bona fide must we combat our political foes -- rejecting all changes but through the channel itself provides for amendments.”

On the subject of constitutional interpretation, Jefferson wrote: “The Constitution on which our Union rests, shall be administered ... according to the safe and honest meaning contemplated by the plain understanding of the people of the United States at the time of its adoption -- a meaning to be found in the explanations of those who advocated it. ... On every question of construction, carry ourselves back to the time when the Constitution was adopted, recollect the spirit manifested in the debates and instead of trying what meaning may be squeezed out of the text or invented against it, conform to the probable one in which it was passed.”

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

James Madison agreed: “I entirely concur in the propriety of resorting to the sense in which the Constitution was accepted and ratified by the nation. In that sense alone it is the legitimate Constitution. And if that is not the guide in expounding it, there may be no security for a consistent and stable, more than for a faithful exercise of its powers.”

Justice James Wilson set forth, “The first and governing

maxim in the interpretation of a statute is to discover the meaning of those who made it.”

The Federalist Papers, considered to be the definitive explication of our Constitution’s original intent, clearly delineate constitutional interpretation. In Federalist No. 78 Alexander Hamilton wrote, “[The Judicial Branch] may truly be said to have neither FORCE nor WILL, but merely judgment. ... Liberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.”

In Federalist No. 81, Hamilton declared, “[T]here is not a syllable in the [Constitution] which directly empowers the national courts to construe the laws according to the spirit of the Constitution. ... [T]he Constitution ought to be the standard of construction for the laws, and that wherever there is an evident opposition, the laws ought to give place to the Constitution.” And yet this non-existent “spirit” is the essence of the so-called “living constitution,” as amended by judicial diktat rather than its prescribed method in Article V.

The rule of men

“The basis of our political systems is the right of the people to make and to alter their Constitutions of Government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole People is sacredly obligatory upon all.” --George Washington

The first significant instance of constitutional interpretation by the federal judiciary was the 1803 case of *Marbury v. Madison*. The Supreme Court, under Chief Justice John Marshall, denied a plaintiff’s claim because it relied on the Judiciary Act of 1789, which the court ruled unconstitutional.

A century later, the *Marbury* precedent would serve to greatly expand the limits of judicial powers outlined in Article III of our Constitution in a frontal assault on the Rule of Law rivaled only by the constitutional disputes leading to the War Between the States.

Prior to Franklin D. Roosevelt’s “New Deal” expansion of central government authority in the 1930s, the courts were still largely populated with originalists, those who properly rendered legal interpretation based on the Constitution’s “original intent.” But Roosevelt grossly exceeded the constitutional restrictions on his office and that of the legislature in his failed “New Deal” policies during the Great Depression.

So determined was Roosevelt to enact his social welfare policies in defiance of constitutional limitations on the role of the central government, that in 1937 he sought to increase the number of justices on the Supreme Court from nine to 15, with the expectation that his appointees would give him a favorably predisposed activist majority. (It is no coincidence that the term “living constitution” was coined the same year.)

Roosevelt failed in this attempt to overtake the High Court, but during his unprecedented three terms in office, he managed to appoint eight justices, whose activist interpretation of the Constitution consistently validated his efforts to expand the power and scope of the central government.

In effect, Roosevelt had successfully converted the Judicial Branch from one of independent review according to Rule of Law to one of subservience according to political will.

In the decades that followed, the notion of a “living constitution,” one subject to contemporaneous judicial interpretation informed by political agendas, became the standard in federal courts. With increasing frequency, judicial activists, jurists who “legislate from the bench” by issuing rulings at the behest of like-minded special-interest political constituencies, were nominated and confirmed to the Supreme Court.

This degradation in the Rule of Law was codified by the Warren Court in *Trop v. Dulles* (1958). In that ruling, the High Court noted that the Constitution should comport with “evolving standards ... that mark the progress of a maturing society.” In other words, the Warren Court concluded the Constitution should be a fully pliable document, “a mere thing of wax in the hands of the judiciary which they may twist and shape into any form they please,” as Thomas Jefferson had forewarned.

Since then, judicial despots have not only undermined the plain language of our Constitution, but have done equal injury to the Bill of Rights.

By the 1980s, judges had seemingly become the final arbiter of our Constitution, and its adulteration was so commonplace that Supreme Court Justice Thurgood Marshall would frequently lecture on “The Constitution: A Living Document,” in defense of constitutional interpretation based upon contemporaneous moral, political and cultural circumstances.

More recently, Justice Antonin Scalia wrote, “[There’s] the argument of flexibility and it goes something like this: The Constitution is over 200 years old and societies change. It has to change with society, like a living organism, or it will become brittle and break. But you would have to be an idiot to believe that; the Constitution is not a living organism; it is a legal document. It says something and doesn’t say other things.”

Justice Clarence Thomas followed, “[T]here are really only two ways to interpret the Constitution -- try to discern as best we can what the framers intended or make it up. No matter how ingenious, imaginative or artfully put, unless interpretive methodologies are tied to the original intent of the framers, they have no basis in the Constitution. ... To be sure, even the most conscientious effort to adhere to the original intent of the framers of our Constitution is flawed, as all methodologies and human institutions are; but at least originalism has the advantage of being legitimate and, I might add, impartial.”

On the political consequences of a “living constitution,” Justice Scalia concluded plainly, “If you think aficionados of a living constitution want to bring you flexibility, think again. ... As long as judges tinker with the Constitution to ‘do what the people want,’ instead of what the document actually commands, politicians who pick and confirm new federal judges will naturally want only those who agree with them politically.”

A “Wall of Separation”?

“I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof,’ thus building a wall of separation between church and State.”
--Thomas Jefferson

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

Once again, in plain language: “*Congress shall make no law...*”

But the courts have ruled that this prohibition applies to virtually every public forum, from public schools and sporting events, to public squares.

There is no more ominous defilement of our Constitution than that of the errant notion of a “Wall of Separation” between our constitutional government and our Creator -- ominous because if the knowledge of our Creator (at one time proliferate in every educational institution) is constrained, then the general knowledge that Liberty is “endowed by [our] Creator” will be equally diminished.

As noted in the previous section, our Founders’ intent was that the central government would not appoint any state church by act of Congress. “Congress shall make no law...” It is just that which Thomas Jefferson referenced when noting the Constitution built “a wall of separation between church and State,” and nothing more.

But judicial activists have for decades “interpreted” this First Amendment to suit their political agendas, placing severe constraints upon the free exercise of religion and invoking the obscure and wholly misrepresented “Wall of Separation” to expel religious practice from any and all public forums.

As noted by the late Chief Justice of the Supreme Court William Rehnquist, “The wall of separation between church and state is a metaphor based upon bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned. ... The greatest injury of the ‘wall’ notion is its mischievous diversion of judges from the actual intention of the drafters of the Bill of Rights.”

Our Founders affirmed that the natural rights enumerated in our Declaration of Independence and, by extension, as codified in its subordinate guidance, our Constitution, are those endowed by our Creator. Regarding the supremacy of the Declaration’s enumerations, Madison wrote to Jefferson, “On the distinctive principles of the Government ... of the U. States, the best guides are to be found in ... The Declaration of Independence, as the fundamental Act of Union of these States.”

Thomas Jefferson proclaimed, “The God who gave us life, gave us Liberty at the same time. ... Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God? That they are not to be violated but with his wrath? Indeed I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever.”

Alexander Hamilton insisted, “The sacred rights of man-

kind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sun beam, in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power.”

“Life, Liberty and the pursuit of happiness...” These are natural rights -- *gifts from God*, not government.

Moreover, it was with firm regard to this deeply held belief that our Constitution was written and ratified “in order to secure the Blessings of Liberty to ourselves and our Posterity.” As such, it established a constitutional republic ruled by laws based on natural rights, not rights allocated by governments or those in positions of power.

John Quincy Adams wrote, “Our political way of life is by the Laws of Nature and of Nature’s God, and of course presupposes the existence of God, the moral ruler of the universe, and a rule of right and wrong, of just and unjust, binding upon man, preceding all institutions of human society and government.”

George Washington wrote in his 1796 Farewell Address, “Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation deserts the oaths, which are the instruments of investigation in the Courts of Justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that National morality can prevail in exclusion of religious principle.”

Notably, the conviction that our rights are innately bestowed by “the Laws of Nature and of Nature’s God,” is enumerated in the constitutional preambles of every state in our Union.

But, for many decades, those who advocate a “living constitution” have used the “despotic branch” to remove faith from every public quarter, ironically and erroneously citing the “Wall of Separation” metaphor -- words from Jefferson’s 1802 letter to the Danbury Baptists. The letter, in fact, denoted the barrier between federal and state governments, not a prohibition against faith expression in any and all public venues.

The intended consequence of this artificial barrier between church and state is to remove the unmistakable in-

fluence of our Creator from all public forums, particularly government education institutions, and thus, over time, to disabuse belief in a sovereign God and the notion of natural rights. This erosion of knowledge about the origin of our rights, the very foundation of our country and basis of our Constitution, has dire implications for the future of Liberty.

Meanwhile, judicial and legislative efforts endeavor to supplant authentic freedoms of speech and of press, while asserting that virtually all other mediums of expression constitute “free speech.”

The Palladium of Liberties

“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” --The Second Amendment

As with the adulteration of the plain language of the First Amendment, executive, legislative and judicial principals are unceasing in their efforts to enfeeble the Second Amendment.

During the 1788 Massachusetts Convention debates to ratify the U.S. Constitution, Samuel Adams stated, “The Constitution shall never be construed ... to prevent the people of the United States who are peaceable citizens from keeping their own arms.”

That same year, James Madison wrote in Federalist No. 46, “The ultimate authority ... resides in the people alone. ... The advantage of being armed, which the Americans possess over the people of almost every other nation ... forms a barrier against the enterprises of ambition.”

In his Commentaries on the Constitution (1833), Justice Joseph Story, appointed to the Supreme Court by James Madison, affirmed the pre-eminence of the Second Amendment: “The right of the citizens to keep and bear arms has justly been considered as the palladium of the liberties of the republic; since it offers a strong moral check against usurpation and arbitrary power of the rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.”

Similarly, Founder Noah Webster wrote, “Tyranny is the exercise of some power over a man, which is not warranted by law, or necessary for the public safety. A people can never be deprived of their liberties, while they retain in their own hands, a power sufficient to any other power in the state.”

“The Powers Not Delegated...”

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” --10th Amendment

However, the central government has routinely violated this amendment with all manner of legislation and regulation over what should be, according to the Rule of Law, matters “reserved to the States respectively, or to the people.”

Equally injurious to the Constitution is the manner in which the 10th Amendment’s assurance of States’ Rights has been eroded by legislative malfeasance and judicial diktat.

In Federalist No. 39, James Madison expounds upon the covenantal nature of the states’ would-be federal arrangement, voluntarily bound by mutual obligation. “Each State,” he wrote, “in ratifying the Constitution, is considered as a sovereign body, independent of all others, and only to be bound by its own voluntary act. In this relation, then, the new Constitution will, if established, be a FEDERAL, and not a NATIONAL constitution.”

In Federalist No. 45, Madison highlights the definite limits placed upon power in such a federal structure, writing, “The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite.”

In assurance that the central government would not overstep its constitutional authority, Madison wrote in Federalist No. 46, that “ambitious encroachments of the federal government, on the authority of the State governments, would not excite the opposition of a single State, or of a few States only. They would be signals of general alarm. ... But what degree of madness could ever drive the federal government to such an extremity.”

But by 1794, Madison foresaw the potential for abuse, and protested loudly against the prospect of the new government’s urge to redistribute the wealth of its citizens for purposes other than those expressly authorized by our Constitution: “If Congress can do whatever in their discretion can be done by money, and will promote the General Welfare, the Government is no longer a limited one, possessing enumerated powers, but an indefinite one, subject to particular exceptions.”

Jefferson wrote: “[G]iving [Congress] a distinct and independent power to do any act they please which may

be good for the Union, would render all the preceding and subsequent enumerations of power completely useless. It would reduce the whole [Constitution] to a single phrase, that of instituting a Congress with power to do whatever would be for the good of the United States; and as sole judges of the good or evil, it would be also a power to do whatever evil they please. Certainly no such universal power was meant to be given them. [The Constitution] was intended to lace them up straightly within the enumerated powers and those without which, as means, these powers could not be carried into effect.”

In his remarkable wisdom, Jefferson also warned that the legislature and courts should not make laws so complex as to conceal their meaning and make the understanding of their implications so convoluted as to render them incomprehensible by those for whom they were, ostensibly, created: “Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure.” Unfortunately, the law today is barely comprehensible in its scope to even those who legislate and interpret it, with dire implications for the federalist system of government established by our Constitution.

“[W]here is the security for property, for reputation, for life, if the sense of religious obligation deserts the oaths...?” --George Washington

“A republic, if you can keep it”

“Our new Constitution is now established, and has an appearance that promises permanency; but in this world nothing can be said to be certain, except death and taxes.” --Benjamin Franklin

At the close of the Constitution Convention in Philadelphia, Ben Franklin was asked if the delegates had formed a republic or a monarchy. “A republic,” he responded, “if you can keep it.”

To that end, as a warning for future generations to beware of “cunning, ambitious and unprincipled men,” George Washington wrote, “A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart is sufficient to satisfy us of the truth of this position.”

Daniel Webster wrote, “Good intentions will always be pleaded for every assumption of authority. It is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions. There are

men in all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters.”

Ominously, Alexander Hamilton noted, “Of those men who have overturned the liberties of republics, the greatest number have begun their career by paying an obsequious court to the people, commencing demagogues and ending tyrants.”

John Adams observed, “Is the present state of the national republic enough? Is virtue the principle of our government? Is honor? Or is ambition and avarice, adulation, baseness, covetousness, the thirst for riches, indifference concerning the means of rising and enriching, the contempt of principle, the spirit of party and of faction the motive and principle that governs?”

Adams cautioned, “A Constitution of Government once changed from Freedom, can never be restored. Liberty, once lost, is lost forever.”

Unfortunately, and at the expense of our Liberty, the Constitution has suffered generations of “cunning, ambitious and unprincipled” politicians and judges whose successors now recognize only vestiges of its original intent for governance. Consequently, constitutional Rule of Law has been weakened by those who have failed to abide by their sacred oaths to “support and defend” the same.

As the erosion of constitutional authority undermines individual Liberty, it likewise undermines economic Liberty.

It can be argued that the most devastating insult to economic Liberty was in passage of the 16th Amendment in 1913, under the populist progressive, Woodrow Wilson. This amendment granted Congress the “power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.”

This measure would be used to enact unequal and discriminatory taxation of targeted groups of income classes, “progressive” taxation, which resulted in classism and the bulwark of all socialist movements, “class warfare.” It opened the floodgates for populist executives and legislators to enact taxes for expenditures not expressly authorized by our Constitution, thus the undoing of constitutionally limited government and accelerating the slide toward the rule of men.

At the onset of the Great Depression, Franklin D. Roosevelt, a wealthy aristocrat, instituted policies that greatly challenged constitutional limits on our government, the cost of which would, generations later, challenge our nation’s economic solvency.

FDR’s economic and social solutions were shaped by his upbringing as an “inheritance welfare liberal” (those raised dependent on inheritance rather than self-reliance). He used the Great Depression as cover to redefine and expand the role of the central government via countless extra-constitutional decrees as well as expanding Wilson’s program for redistribution of wealth in order to fund such folly.

Roosevelt, in fact, issued this proclamation: “Here is my principle: Taxes shall be levied according to ability to pay. That is the only American principle.”

Upon review, though, his “American principle” is essentially a paraphrase of Karl Marx’s maxim, “From each according to his abilities, to each according to his needs.”

Thus, it may be argued that Roosevelt’s “principles” had no basis in the Rule of Law or the principles of free enterprise, and consequently, his New Deal policies and programs resulted in what now may be considered the central government’s most oppressive weapon: The U.S. Tax Code.

Of government welfare programs, Madison wrote, “I cannot undertake to lay my finger on that article of the Constitution which granted a right to Congress of expending, on objects of benevolence, the money of their constituents...”

Accordingly, Article 1, Section 8 of our Constitution, which addresses the powers of the legislature, does not give Congress the authority to collect taxes for banking, mortgage and automaker bailouts, or to subsidize production or service sectors like health care, or to fund education and retirement, or to issue tens of thousands of earmarks for special interest “pork” projects.

Nor is Congress authorized to institute countless conditions for the redistribution of wealth in its 20-volume, 14,000-page Tax Code, or to impose millions of regulations on everything from carbon emissions to toilet water volume.

As Justice John Marshall aptly noted, “An unlimited power to tax involves, necessarily, a power to destroy;

because there is a limit beyond which no institution and no property can bear taxation.”

Wisdom of the Founders notwithstanding, at the dawn of the 21st century, more than 70 percent of the federal budget would be allocated for “objects of benevolence” for which there is no original constitutional authority. Put another way, much of your income is confiscated by the government and redistributed for purposes not expressly authorized by our Constitution. Consequently, the liberal hegemony controlling the federal budget in the first decade of the 21st century saddled the nation with more government debt than all previous administrations combined, a burden which may ultimately break the back of free enterprise and replace it with Democratic Socialism.

Of such debt, Jefferson concluded, “The principle of spending money to be paid by posterity, under the name of funding, is but swindling futurity on a large scale.”

Under siege of such economic oppression, can the Republic survive? Can Liberty endure?

Principium Imprimis -- Restoring First Principles

“In disquisitions of every kind there are certain primary truths, or first principles, upon which all subsequent reasoning must depend.” --Alexander Hamilton

If we are to bequeath to our posterity the Liberty that our Founders envisioned, then we must return to *principium imprimis*, or First Principles. Our freedoms cannot long endure unless we, the people, reaffirm what was well understood by our Founders: that our Creator is the only eternal assurance of Liberty.

The primacy of faith must be restored in order to preserve the conviction that, as Jefferson wrote, our “liberties are the gift of God”; traditional families and values must be restored as the foundation of our culture; individual rights and responsibilities must be restored as the underpinning of republican government; free enterprise must be unbridled from government constraints; and constitutional authority over each branch of government must be restored to ensure Liberty, opportunity and prosperity for a civil society.

The Cycle of Democracy has been summarized as follows: From bondage to spiritual faith; From spiritual faith to great courage; From courage to Liberty (Rule of Law); From Liberty to abundance; From abundance to complacency; From complacency to apathy; From apathy to dependence; From

dependence back into bondage (rule of men).

Our Founders established a democratic republic, not a democracy, in order to enfeeble this cycle. However, with the erosion of constitutional authority, our Republic is now in jeopardy of following the same cycle as have all other democracies in history. Only intervention by citizens and leaders who advocate the primacy of constitutional authority, those committed to supporting and defending that authority above their self-interest, can save the Republic for the next generation.

Irrevocably linked to the Liberty ensured by constitutional Rule of Law is economic Liberty.

In 1916, a minister and outspoken advocate for Liberty, William J. H. Boetcker, published a pamphlet entitled “The Ten Cannots”:

You cannot bring about prosperity by discouraging thrift. You cannot strengthen the weak by weakening the strong. You cannot help the poor man by destroying the rich. You cannot further the brotherhood of man by inciting class hatred. You cannot build character and courage by taking away man’s initiative and independence. You cannot help small men by tearing down big men. You cannot lift the wage earner by pulling down the wage payer. You cannot keep out of trouble by spending more than your income. You cannot establish security on borrowed money. You cannot help men permanently by doing for them what they will not do for themselves.

Simply put, the central government cannot give to anybody what it does not first take from somebody else.

So what is a Patriot to do?

The Legacy of Liberty

“[T]he hour is fast approaching, on which the Honor and Success of this army, and the safety of our bleeding Country depend. Remember officers and Soldiers, that you are Freemen, fighting for the blessings of liberty -- that slavery will be your portion, and that of your posterity, if you do not acquit yourselves like men.” --George Washington

Some of our countrymen are overwhelmed with the current state of affairs. They have resigned to defeat and withdrawn from the fields of battle. In so doing, they forsake the legacy of Liberty extended to them by generations of Patriots who have pledged their lives, their fortunes and their sacred honor.

Of such resignation, Jefferson declared, "Honor, justice, and humanity, forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them if we basely entail hereditary bondage on them."

Hamilton wrote, "A nation which can prefer disgrace to danger is prepared for a master, and deserves one!"

Samuel Adams showed no sympathy for such retreat: "Contemplate the mangled bodies of your countrymen, and then say 'what should be the reward of such sacrifices?' ... If ye love wealth better than Liberty, the tranquility of servitude than the animated contest of freedom, go from us in peace. We ask not your counsels or arms. Crouch down and lick the hands which feed you. May your chains sit lightly upon you, and may posterity forget that you were our countrymen!"

Patrick Henry said famously, "Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me Liberty or give me death!"

Plainly, none can claim the name "American Patriot" while submitting to laws and regulations that violate the most fundamental tenets of our Constitution.

At its core, the word "patriot" has direct lineage to those who fought for American independence and established our constitutional Republic. That lineage has descended through our history most conspicuously by way of those who have pledged "to support and defend" our Constitution -- those who have been faithful to and have abided by their oaths, even unto death.

Today, those who can rightly claim the name Patriot, those who have stood firm on the front lines of the struggle to restore constitutional integrity, can be encouraged. There is a groundswell of activism across the Fruited Plain, as our fellow countrymen are awakening to the very serious threat of constitutional adulteration and its natural terminus: tyranny.

The growing chorus of Patriot voices from every corner of the nation and all walks of life is demanding restoration of the Rule of Law as outlined by our Constitution.

Today's Patriots exemplify not only the eternal spirit of Liberty conferred through the ages by previous generations of Patriots, but also a spirit enlivened in recent history by a constitutional advocate who many historians regard as the greatest American president of the 20th century.

Ronald Reagan was elected president in 1980 on a platform of constitutional integrity and federalism, and he was devoted to that doctrine. He was re-elected on those principles four years later in a landslide victory -- winning every state but his opponent's home state (and, tellingly, the District of Columbia).

In 1964, years before he had any presidential aspirations, Reagan delivered a treatise on Liberty, "A Time for Choosing," which to this day appositely frames conservative philosophy.

In "The Speech," as we know it, Reagan insisted, "I think it's time we ask ourselves if we still know the freedoms that were intended for us by the Founding Fathers. ... Whether we believe in our capacity for self-government or whether we abandon the American Revolution and confess that a little intellectual elite in a far-distant capital can plan our lives for us better than we can plan them ourselves."

He continued: "You and I are told increasingly that we have to choose between a left or right, but I would like to suggest that there is no such thing as a left or right. There is only an up or down -- up to a man's age-old dream; the ultimate in individual freedom consistent with law and order -- or down to the ant heap of totalitarianism, and regardless of their sincerity, their humanitarian motives, those who would trade our freedom for security have embarked on this downward course."

Reagan departed the Democrat Party at the dawn of his political career, but clarified, "I didn't leave the Democratic Party; the Democratic Party left me."

Consistent with that assertion, contemporary leaders of the once-noble "party of the people" have turned the wisdom of their iconic sovereigns upside down.

In his 1961 Inaugural Address, liberal John F. Kennedy proclaimed, "My fellow Americans: Ask not what your country can do for you, ask what you can do for your country."

Now: “Ask not what you can do for your country, ask what your country can do for you.”

In his famous address from the Lincoln Memorial in 1963, liberal Martin Luther King Jr. proclaimed, “I have a dream that my children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.”

Now: “I have a dream that my children will one day be judged by the color of their skin, not the content of their character.”

Some said President Reagan won broad support because he was a “great communicator,” but he said it more accurately in his farewell address: “I wasn’t a great communicator, but I communicated great things, and they didn’t spring full bloom from my brow, they came from the heart of a great nation -- from our experience, our wisdom, and our belief in principles that have guided us for two centuries.”

The principles of Liberty advanced by President Reagan were, and remain, a template for victory over tyranny.

But our Legacy of Liberty is at risk today because precious few aspire to public office in order to restore First Principles, and the American people lack the most fundamental understanding to articulate the difference between Rule of Law and rule of men. The consequence of such ignorance is the rise of a hegemony in Washington, whose agenda is to achieve “the fundamental transformation of America,” through the transformation of our economic system.

Thomas Jefferson warned, “I place economy among the first and most important virtues and public debt as the greatest dangers to be feared. ... To preserve independence ... we must not let our rulers load us with perpetual debt. ... [W]hen all government ... shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another. ... Were we directed from Washington when to sow, and when to reap, we should soon want bread. ... The fore horse of this frightful team is public debt. Taxation follow that, and in its turn wretchedness and oppression. ... We must make our election between economy and Liberty, or profusion and servitude.”

Should our economy collapse under the weight of mounting debt, the ensuing crisis may result in government intervention under the pretense of “economic recovery” which could be structured to, ultimately, replace the last

vestiges of free enterprise with a democratic socialist framework. However, historians and economists argue that Democratic Socialism, like Nationalist Socialism, is tantamount to Marxist Socialism repackaged. It seeks a centrally planned economy directed by a single-party state that controls economic production via regulation and income redistribution. All three socialist manifestations are formed around class warfare propaganda, and in opposition to free enterprise, a basic tenet of Liberty. As noted economist and philosopher F.A. Hayek wrote, “There is no difference in principle, between the economic philosophy of Nazism, socialism, communism, and fascism and that of the American welfare state and regulated economy.”

Another Time for Choosing

“If men of wisdom and knowledge, of moderation and temperance, of patience, fortitude and perseverance, of sobriety and true republican simplicity of manners, of zeal for the honour of the Supreme Being and the welfare of the commonwealth; if men possessed of these other excellent qualities are chosen to fill the seats of government, we may expect that our affairs will rest on a solid and permanent foundation.” --Samuel Adams

If a plethora of actions by officers in the executive, legislative and judicial branches of our central government do not comport with the plain language and authority of our Constitution, it may be argued that they have abandoned their sacred oaths to “support and defend the Constitution of the United States against all enemies, foreign and domestic,” and to “bear true faith and allegiance to the same.”

Our Founders understood that the Rule of Law enshrined in our Constitution was the fundamental guarantee to protecting and sustaining Liberty for their, and our, posterity. Consequently, they prescribed that all elected officials be bound by Sacred Oath to “support and defend” our Constitution.

For presidents, Article II, Section 1, specifies: “Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: ‘I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.’”

Likewise Article VI, Clause 3 specifies: “The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to

support this Constitution.”

However, in the current era, the vast majority of national officers have abandoned their oaths in deference to the expediency of serving constituencies.

The time has come when we must inquire with a unified voice: If there is no explicit constitutional authority for the laws and regulations enacted by Congress and enforced by the central government, then by what authority do those entities lay and collect taxes to fund such laws and regulations? For this should they be duly prosecuted, one and all, for breach of oath to our Constitution and breach of trust with the American people? If they have abandoned their sacred oaths “to support and defend” our Constitution, does that constitute “taxation without representation”?

Today, while the words “conservative” and “liberal” are ubiquitously used to describe alliances, these words more essentially describe whether one advocates the Rule of Law or the rule of men; the conservation of our Constitution as the Founders intended, or its liberal interpretation by progressive legislators and judicial activists.

As Reagan challenged, it is time for each of us to choose which of these we advocate and to fully understand the consequences of that choice. It is time for those of us who endorse the most basic tenets of our Republic, “That all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness,” to honor that heritage and set about the formidable task of restoring individual Liberty and constitutional limits upon the branches of our national government.

The futility of debating policy matters must now yield to a more substantive national debate about constitutional authority and the First Principles of Liberty.

If we are to restore Liberty and the integrity of our Constitution, we must do so from the bottom up, a groundswell from the grassroots. Indeed, nothing great and enduring has ever been built from the top down. We must therefore start at the foundation, speaking with one disciplined, determined and unified voice toward one primary objective: the re-establishment of the Rule of Law.

If we are to succeed, we must understand the principles of Essential Liberty.

If we are to turn back the tide of tyranny, it is important

that every American Patriot, all of those committed to preserving our constitutional heritage and extending our legacy of Liberty to future generations, understand the difference between Rule of Law and rule of men, and be able to articulate that difference.

James Madison wrote, “There are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations.”

Indeed, some 200 years later, silent encroachments have resulted in a central government that is poised to dictate the terms of freedom and Liberty according to the dictates of men, not the Rule of Law, and consequently, tyranny is on the horizon.

Though our Constitution provides the People with an authentic means for amendment, as prescribed in Article V, activist jurists and lawmakers have altered that founding convention well beyond any semblance of its original intent, using the courts, legislation and regulation to greatly expand the powers of the central government according to the dictates of a “living constitution.”

We must declare by all means that our government’s authority be contracted to its original constitutional intent, understanding that this contraction will take courage, deliberation and time to undo generations of insult to our Constitution and Rule of Law. But undo this abomination we must, with determination, knowing that if we fail, and Rule of Law is overwhelmed by the rule of men, tyranny will prevail. Consequently, the ultimate arbiter of the law will depend not upon constitutional rule but ultimately, and crudely, upon which of the human constituent rivals possesses greater force and firepower.

On July 4th, 1776, our Declaration of Independence, this nation’s supreme manuscript of incorporation, asserted, “That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government.”

Our Declaration’s principal author, Thomas Jefferson, also wrote, “The tree of Liberty must be refreshed from time to time with the blood of patriots and tyrants. ... Resistance to tyrants is obedience to God.”

While one prays that Liberty will be restored and extended to our posterity without spirited rebellion, history does not favor such prospects.

Founder Patrick Henry said, "It is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth -- and listen to the song of that syren... For my part, whatever anguish of spirit it might cost, I am willing to know the whole truth; to know the worst, and to provide for it."

It is time to expose the whole truth of the state of our Constitution, and to provide for its revitalization.

In 1776, Thomas Paine wrote, "If there must be trouble, let it be in my day, that my child may have peace." So it should be in our day.

This treatise on Liberty is not a call for revolution but for restoration -- to undertake whatever measures are dictated by prudence and necessity to restore the integrity and primacy of our Constitution and the Liberty it enshrines.

Ronald Reagan said, "There are no easy answers, but there are simple answers. We must have the courage to do what we know is morally right. ... You and I have a rendezvous with destiny. We will preserve for our children this, the last best hope of man on earth, or we will sentence them to take the last step into a thousand years of darkness."

Which will it be?

The cause of, and necessity for, the American Revolution was the violation of fundamental rights endowed by the Laws of Nature and Nature's God. Unjust taxation was the catalyst for the first American Revolution.

Once again, our fundamental rights are being violated, and that violation is sustained by unjust taxation for purposes not expressly authorized by our Constitution. Consequently, our nation is on the precipice of insolvency, and the bill is coming due. It will most certainly be repaid in the currency of tyranny unless Liberty and the Rule of Law prevail.

Our Constitution, as written and ratified, stipulates in its preface that it is "ordained and established" by the people to "secure the Blessings of Liberty to ourselves and our Posterity." To that end, it established a Republic, not a popular democracy, which is to say it affirmed the primacy of Rule of Law over rule of men. But is Liberty secure for us, or our posterity, if the legislature collects taxes enforced by the executive, and accumulates insurmountable obligations of debt in the name of future generations, for expenditures outside the limits of our Constitution's endorsement?

We must determine if "We, the People of the United States," have any legal standing to demand that members of the Executive, Legislative and Judicial branches of the national government, abide by their sworn oaths to "support and defend" our Constitution as mandated in Article II and Article VI. Are they obliged by oath to act within the constraints of the Rule of Law enshrined in our Constitution by its Framers, or can they collect taxes and accumulate debt for expenditures, which have no express constitutional authorization?

Our nation came into being over the issue of "no taxation without representation." If the central government established by our Constitution is, today, under siege by those who have abandoned their oaths and obligations to support our Constitution and abide by the Rule of Law it was "ordained and established" to protect, then are we once again being taxed without representation?

The power to vote does not constitute "representation," where there is no assurance that representatives will abide by their oaths of office, and use the treasury as an instrument to perpetuate their reelection by special interest constituencies, whose allegiance is secured with confiscated and redistributed wealth.

The time has come that all American Patriots must, "with a firm reliance on the protection of divine Providence, mutually pledge to each other our Lives, our Fortunes and our sacred Honor," as we endeavor to restore Rule of Law and our Constitution's limits on the central government.

Fellow Patriots, at the dawn of the fight for Liberty in 1776, Thomas Paine wrote, "These are the times that try men's souls." And so it is today. I implore you to make no peace with oppression, and I leave you with these words of encouragement from the Father of Our Country, George Washington: "We should never despair. Our situation before has been unpromising and has changed for the better, so I trust, it will again. If new difficulties arise, we must only put forth new exertions and proportion our efforts to the exigency of the times."

Semper Vigilo, Fortis, Paratus et Fidelis!
Libertas aut Mortis!
Mark Alexander

(Alexander is Publisher of *The Patriot Post* and Founder of The Essential Liberty Project)