The mission of each true knight – his duty – *nay, his privilege*

To dream the impossible dream
To fight the unbeatable foe
To bear with unbearable sorrow
To run where the brave dare not go

To right the unrightable wrong
To love pure and chaste from afar
To try when your arms are too weary
to reach the unreachable star

This is my quest
To follow that star
No matter how hopeless
No matter how far

To fight for the right
Without question or pause
To be willing to march into Hell
For a heavenly cause

And I know if I'll only be true
To this glorious quest
That my heart will lie peaceful and calm
When I'm laid to my rest

And the world will be better for this
That one man, scorned and covered with scars
Still strove with his last ounce of courage
To reach the unreachable star

Dedicated to humanity,
the incredible species that we are,
that soon shall know and feel and see
as we reach the now-reachable star

Introduction

My interest in how people work began on April 24, 1984 when I was privileged to have my worldview crash. I assure you, it didn't feel like a privilege at the time. It was, and still remains, the most terrifying moment of my life. Imagine, in one moment, being part of the world, and the next instant, having an epiphany and realizing that all of my core values were in error. I had no belief system to guide me. I didn't know what to do, and worse, what not to do.

In that crash, I realized that what I had been calling liberty wasn't freedom at all. What I had been calling justice wasn't justice. It was injustice. And what I had been calling equality was quite the opposite. It was then that I started educating myself because I realized that I was incapable of putting together a new worldview. Though I thought I was educated, I was functionally uneducated.

It sounds strange to me even to this day that a girl who was brought up in the 50s and 60s, could even suspect that America values liberty, justice or equality. I saw the LOOK magazine photos that introduced Jim Crowe to the north and was horrified. My first job came through the "girl wanted" want ads. Then there were three categories of job openings: girl wanted, woman wanted, and men wanted. None of the female jobs interested me in the least. If I didn't want to be a teacher or a nurse, I could be a clerk in a store, a housekeeper, or a secretary. I tried applying for some of the men's jobs, but was turned down. As I needed money, I had no choice but to use the want ads to find employment so that I could go to jobs I hated because they forced me into ethically indefensible situations.

My interest in how governments work and how they form societies began three years later when I agreed to be a summer baby sitter for a group of girls, aged eight and ten. What I learned as a result of these two situations sent me on another journey—a Vision Quest. In that journey, I would learn how America went so far off track that we didn't know that our current form of government is

so flawed, it is inherently unworkable. I discovered that it used to be workable. It could have worked continually. It should have. Then, the Supreme Court threw out the Constitution, calling it unworkable while saying that those who think it is workable are insane. The Court replaced our Constitutional Republic with a common law government that in America is a system of government that operates as a dictatorship that serves the well-monied, with the Court having become the dictator sharing the throne. That's when America began falling apart.

This book is the story of how and when we lost our Constitutional Republic, and how it has damaged us to the point where we no longer believe that we are capable of being part of a government of, by, and for the people. Yet it is more. It is also the explanation of how humans work. Its about how we can heal ourselves so that we are able to peacefully reclaim our government to form another that is of, by, and for the people. We are an absolutely incredible species with potential that few dare consider.

To help you understand how a government of, by, and for the people actually works, I am going to tell you a story about a group that made an amazing shift into the type of government that can work, will work, and that I have since discovered, has worked in the past for other cultures. It may help you to imagine what is being asked of you as you begin learning things about yourself and your government that will destroy many errors in your worldview. Yet, if you are willing to bear the unbearable sorrow in discovering what has been going on in America without your knowledge, it will also offer far happier and more rational alternatives.

On day one of my babysitting, as we were making introductions, I was informed that the girls didn't need or want a baby-sitter, but as their parents insisted they have one, they would accept me as a responsible adult only. I readily accepted that and told them that that being the case, they would need to do some things first.

I gave them each pencils and some paper as well as a manila folder on which they were to put their names. I asked them to make four lists. The first was a list of things they like to do alone. The second was a list of things they like to do with one other person. The third listed things they like to do with two other persons. Finally, the fourth listed things they like to do with 3 or more people. That way, I told them, if they are ever bored, they don't need to come to a baby-sitter to ask for things to do. They can go to their manila folder to find something fun to do.

When that was done, I told them that they would need to work out their own form of government, because if I was just a responsible adult, they had to make their own rules.

The morning was spent devising a system of government. Basically, it resembled the US government, not surprising from these American children. It was a majority rule democracy, and it had a justice system. If there were disagreements, they would be resolved in court. They could sue one another. They agreed that the judge should be impartial. One could ask another to be a lawyer who could also speak up on her behalf. If the parties wanted, the other kids could be Jurors. I simply watched the process, and when I was handed the hand-written "Constitution", I taped it on the wall over the rack holding their manila folders.

Within two days, things were in chaos. Everyone was suing everyone, and the ensuing days were half-filled with court cases, that all attended whether they were involved or not. They came because they wanted to, not because they were required to.

They didn't realize that the more law suits they had, the unhappier they were and the more they argued. Meanwhile, I, observing from the outside, saw it clearly.

One day, the inevitable happened. The case had three girls on one side and three girls on the other, meaning that there was no impartial judge. They asked me to

judge for them. I initially refused, reminding them of my limited role as a responsible adult, but all order disappeared and the argument grew more intense.

In order to calm the situation, I agreed to be the judge if they agreed that my word was final. They agreed.

The case was, as the cases were, about whether or not someone could play with a toy brought from home—even if its owner wasn't playing with it. There was an income divide in this group, and it was obvious. One girl's family didn't have many resources, and toys that she would never be able to have or play with fascinated her. She didn't think that she was hurting anyone by admiring or touching something as long as she didn't break it. Those who could afford the finer toys insisted on the right to control what happened to their privately owned toy. What should happen to the offender if another offense occurred was a touchy subject.

I heard the case and I made my ruling. I ruled that their government was unworkable. Starting the next day, socialism would be instituted. Big and expensive toys could be played with by all, but small and inexpensive toys could be private property. In socialism, I told them, the government owns the big things and individuals own the small things. Remember that, I reminded them, when they choose what toys to bring with them the next day.

This didn't help much. The next day, the lawsuits began. Obviously, the questions involved what constituted a government-owned toy and what was a privately owned toy. Where should the line be drawn? This began a process of lawsuits that involved toy after toy after toy.

Again, the time came when I was asked to serve as judge, which I again reluctantly did. I heard the case and ruled the government unworkable. I set aside socialism and instituted communism. All toys brought into the house were

community property, so I advised them to take that into consideration when they came the next day.

This didn't stop the lawsuits, which began focusing on how (in what way) some were playing with some of the toys. They wanted laws about that. There was a subtle economic war being waged against those whose parents have less. Again, the children were not happy and the frustration that was expressed in the lawsuits was so obvious that when I was again asked to be a judge, I immediately agreed. Without even hearing the case, I decreed the communism to be unworkable. I established a benign monarchy.

With a benign monarchy, I said, I would set the rules, but they could have input and even make some rules. That didn't work. They were split on when I should be involved and what rules were theirs to make. The arguments got so heated that I brought them to an end by establishing a dictatorship.

A dictatorship, I said, is where I make all the rules and I have all the power. If you have a problem, I said, you can come to me and I will tell you what you WILL do to fix it.

The funny thing about the dictatorship was that the kids seemed to like it well enough. Yes, there were still arguments, but they were short lived because both sides came to me and I told them what to do. Even when I ruled against one, that person recovered from the sting of defeat and found something else to do. Sounds great, at least for them. Unfortunately, the kids weren't particularly happy because in a dictatorship, rules don't have to be even handed. We had not solidified into a group.

I was quite miserable. I wanted to be able to have fun with the kids and have a peaceful life. Being a dictator is a very hard job. It's not fun at all. A dictator can be the enemy of both sides. Days were filled with frustration for all of us.

I pondered this for a while, and wondered how I can return power to the kids while avoiding the arguments. My pondering led me to an interesting idea.

Every afternoon, starting 45 minutes before the mothers came to pick up the kids, we always played a round-robin video game. Video games of the 1980s weren't filled with violence like today's video games are. My computer was the most up-to-date available for home use. It was an Atari (no internal hard drive, but it had a slot where I could insert a game cartridge). We played Donkey Kong.

I was no good at it, but the kids picked it up quickly. They kept telling me how to do it right, but I just couldn't get it. "*Relax*", they said to me over and over again. *"When you're not relaxed you can't see what's coming".* (Fear blocks rational thinking.) *"Relax your grip on the controller. We can see how tense you are." "Look at the big picture and remember that you are only Mario. He's the only one you can control". "If you look at the big picture and stay relaxed, you can see the bombs and then simply jump over them". "You are not competing against your partners. Well, yes, you're competing, but you're not competing to beat them. You're competing against yourself so that you can improve your own game".* I tried, but I kept forgetting to stay calm.

One evening after the last child left, I pondered how to get out of the role of dictator, I decided to see if I could "get" what the girls were talking about. I went back to the game and concentrated on staying relaxed (leaned back in my chair and relaxed my grip on the control stick). I looked at the big picture while I remembered that I was Mario. In almost no time, I took one man beyond where any of the kids had gone before while using up all of their men. I became the first among us to kiss the princess. Not only that, but I did it with only one man. Success! With that success came inspiration.

The next day, I gathered the kids in the back yard and explained the problem. I reviewed what we had learned about governments so far, and though the dictatorship seemed to be working better than the other governments, it wasn't a

good system. Not only were they not as happy as they could be, but I was unhappy. Worse than that, I had become a baby-sitter and we all wanted me to be nothing more than a responsible adult. That's when I suggested the institution of the Donkey Kong government. (Rational anarchy.)

They all laughed, but listened. I told them about my success on Donkey Kong the evening before. I reviewed the rules they told me to use. Then I suggested that life is nothing more than a game of Donkey Kong. I pointed to the houses, trees, and sky, and said, "There is the monitor". They were initially confused, but I explained it. "Everything that you see outside of you is the monitor. You are each Mario. You are the only one that you can control. You can choose to stay relaxed, and if you do that, you can avoid the unhappiness bombs that come heading your way."

Here's how the government works:

If a child felt herself getting angry, she would raise her hand and loudly call out "ME TIME". She would then go to her list of things that she likes to do and do something so that she could remember what happy feels like. When she remembers how to be happy, she returns to the group. "This is not a punishment", I insisted. "It's a reward." Do you like being unhappy and angry? "No" was the universal response. I continued, so if you are not happy, and you can control YOU—because you are Mario in this government—then you must have forgotten what happy feels like. So go someplace and BE happy to remember what being happy feels like. Then bring your happiness back into the group where we can all share it and we can all have even more fun together.

Honest to goodness, it worked. It worked amazingly well. As I watched the new government evolve, I began to feel astonishment. One day, I watched two girls begin to have an argument. A third girl, who was not part of what they were discussing, raised her hand and said, "ME TIME! I don't like watching people argue". Saying nothing more, she went off to her list, and then, the two girls

looked at one another, smiled, and went off together to find something that they enjoyed doing together. The kids were accepting total responsibility for their lives.

There was not another argument for the entire summer. The girls had such fun that I had time to create more fun activities to do with them.

With this government, my life grew happier as well. I was actually enjoying myself. How much we learned as we invented games to play together! We would go to the air-conditioned grocery store to escape the heat, and I would send the kids on scavenger hunts (walking only) as they found my groceries. They learned how to determine the price per ounce of things (in the days before they were posted) and why it's important to know how to do that. We would buy various brands of some food and then go home to open the cans to see if there was a difference in quality and quantity and then, over lunch, discuss how much value per dollar each brand offered. Math and reasoning skills were learned without their knowing that they were learning. It took me a while to realize it, but their innate curiosity turned on. The kids weren't afraid to ask questions, exposing what they didn't know. They were becoming more confident. They were heading to the library (two blocks away) to look up answers to questions about so many things. It was all so exciting. When given the chance to see it for themselves, these children were brilliant.

It didn't take long before a parent asked me what Me Time was. She knocked on my door one evening to tell me that she noticed an incredible and delightful change in her daughter. She lamented that she and her daughter had always fought, but she just realized that it had been almost two weeks since they had a single argument. Life is different at home, she told me. They were having fun together again. Her daughter was helping out more around the house without being asked, cleaning her room and the guinea pig cage without being yelled at, and they even have fun doing dishes together in the evening. It was their time to

talk. She kept hearing about Me Time and didn't understand it. Could I explain it? I did.

I told her that when someone is upset, they are punishing themselves. Anger doesn't feel good. It hurts. I can't feel anger for someone so I can't take it away for anyone. We each have to do that part by ourselves.

If you're angry, I told her, you are all alone in that anger. The girls know this. They also know that the punishment that anger does to them will stop only when they remember that they are not happy. The game of life is supposed to be fun, I continued, so they raise their hand and announce that they are going to take Me Time so that they can remember how to be happy. Me Time is not a punishment, I said again, wanting to make that point clear. Anger is a punishment. Anger is something that people punish themselves with. Me time is a reward. When the anger goes away and the happiness returns, that's the reward. When happiness is shared, it is magnified. She went home to put together her own list of things she likes to do alone, things she likes to do with one other person, and things she likes to do with a group. She intended to include ME TIME in her life.

The next day, the daughter told me her side of the story. She was being good about cleaning the guinea pig cage because she liked playing with her guinea pig and she didn't like playing with it when she is dreading the idea of cleaning the cage. If she spent a few minutes cleaning up the cage she can have a lot of time to have fun with her pet. She applied the same logic to her bedroom, discovering that if she picks up after herself, she can have a lot of fun in her clean room. She actually likes her room. "It's a nice room", she said. She avoided it and didn't like it when she was dreading cleaning it, so it's easier to clean it every day. Doing dishes with her mother is fun now, she added. It's their special time to talk. She learned all this on her own from the Donkey Kong government that asked her to do nothing more than remember how to be happy and accept responsibility for her own happiness.

The Donkey Kong Government was a great success. There was not another argument or lawsuit for the rest of the summer.

Another related story also occurred that summer. We all made small change purses, and I gave each girl ten pennies. I showed them how to make the pennies shiny by using an eraser. I knew that 10 cents has no value in America, but it was something for them to put in their purses, and it was an activity that we enjoyed as we all sat around the table chatting.

The next day, I took the two oldest and gave them a secret mission. When they saw someone doing something nice for someone, they were not to say anything, but wait until everyone was out of sight and then sneak one of their pennies into the purse of the girl who had done the kind thing. I asked them to pay special attention to the quietest girl (from the lowest socioeconomic group). I assured them that I would replace any pennies if they wanted. Because it was a secret, they were excited about the idea, and no, they didn't need to have their pennies replaced.

That afternoon, the quiet girl looked in her purse and said "Hey! I have an extra penny". The other girls ran to their purses and another said the same thing. For the next three days, they would check their purses on and off (that were on the same table as their folders) and pennies kept showing up.

Finally, the quiet girl, having accumulated quite a few extra pennies, hid behind a door as she waited to find out how those pennies were getting into the purses. I don't know how long she hid there, but when someone approached the table to put a penny into a purse, she jumped out from behind the door and yelled "GOTCHA!". The secret was out. Everyone came running into the room laughing. They wanted to play that game too.

Immediately, all of the girls started giving secret donations to those whom they had seen doing a kind thing. If one girl saw someone sneaking a penny into a

purse, the one who saw would sneak a penny into HER purse. Instantly, the focus stopped being on avoiding the "bombs" that suddenly appear without warning. The focus was entirely on observing how kind and nice the other girls were. Evidence of economic divisions evaporated. The most insecure blossomed. Fun was the order of the day for the rest of the summer. Without discussion, the goal changed from having the most pennies to having the least pennies. How good someone felt when her purse was empty, which was never empty for long. This continued for the rest of the summer.

During this time, the girls even passed their first law. Five of the girls wanted to go do something, but a sixth wanted to stay home and finish a book. She just didn't feel like going out into the world. She wanted to stick around the house. Without my saying a thing, one of the girls from the majority said: "No one should have to do something she doesn't like just because the rest of us want her to". Her statement was followed by unanimity and a democracy by consensus was born.

Because their governmental framework allowed it, six girls developed an egalitarian democracy by consensus government—a government of, by, and for the people, and it worked exceedingly well. I had never heard of such a thing before. Our government certainly doesn't have a framework that allows that. Their government was so gentle it was barely perceptible, yet it was so strong it was unbreakable. They had a social structure based on respect and cooperation.

On the last day, the mother of the quietest girl wanted to thank me for what I had done for her daughter. I thought she was thanking me for baby-sitting, but she continued to say that there has been a complete transformation in her daughter.

She told me that she and her husband had been very worried about their daughter. She would hide from the family and she wouldn't leave her room when she was home. It was hard to get her to come join them for dinner. Getting her

to say anything was a chore. She never wanted to join in any family activities, and the rest of the family enjoys doing things together every weekend.

Now, the mother said, that is all changed. She joins us for dinner and even sticks around to help me with the dishes. She goes places with us. She doesn't hide in her room any more. She's happy and chatty and even tells jokes. She's fun to be around. We feel like we have our daughter back. We were so worried that we were losing her and there was nothing we could do to save her.

Imagine being that shy, insecure, and depressed little 8-year old girl who suddenly discovers, through the discovery of shiny new pennies consistently secreted into her little purse, that she is liked and respected by all of her peers. No wonder it changed her life dramatically. She wouldn't have believed it if I had simply told her that she is lovable. She had to experience it to believe it. And when her mind turned back on as her curiosity was renewed, her self-respect soared. We are social animals and we need healthy and positive relationships where all are equal.

Happiness, caring, and sharing are infectious, just as fear is. The difference is that the former heals while the latter destroys.

Another interesting side-note is that within only a couple of days of starting the Donkey Kong government that is actually rational anarchy, each of the kids could kiss the princess using only one man. Something meaningful was going on in these children's minds and the change was almost instantaneous.

If we want a government of, by, and for the people, one thing we have to change is our belief that we are inferior or not as worthy or capable in any vague or self-defined way to any other person. We must stop being that insecure little girl. That's easy enough, so that's where we will begin.

In a game I call "You be the Judge", we are going to look at some Supreme Court cases, compare the facts of the case to the Constitution, and make a decision on the case. By the end of the first case, your self-esteem will rise. By the end of the Parts One and Two, it will have risen enough to help you see that we really don't have a choice. We need to heal ourselves so that we can reestablish a government of, by, and for the people, because if we don't, humankind will not survive much longer. The sixth mass extinction of life on earth has already begun and our government is furthering it, unable to stop itself. We are the cure, and we are powerful creatures, once we unlearn the lies we were told and replace them with testable, verifiable truth. The truth shall set us free.

This book is written in three parts. The first two parts introduce you to the secret American history that has been intentionally kept from you. It's not that it is formally classified as secret. It's not. It's all well-documented. The problem is that you were intentionally taught lies and half-truths about it. Important information was intentionally kept out of your public schooling in order to keep you so in-the-dark that you could not recognize the obvious. Through public schooling, you were intentionally and verifiably led into the heart of the American Delusion. We will also look at documents about public education and how it came to be the child-damaging institution it is. We will then look at money, what it is, how it works, and how it is causing us to do things that most Americans don't think they are capable of doing even as they do them.

Part Three is dedicated to helping you see for yourselves how humans work, using testable methods. So many of our beliefs about who and what humans are, are in error. Through Part Three, you will heal yourself so that you are capable of participating in a democracy of, by, and for the people.

Part Three doesn't have to be read after Parts One and Two. Because there are easy experiments and exercises in Part Three, you can work the two parts together. This will allow you to have a head-start in doing what is necessary to reclaim our government of, by, and for the people while spreading some amazing

news that has the ability to bring peace on earth in our lifetimes and put that unreachable star within reach.

Chapter One

Wickard v. Filburn

In the United States at the present day, the reverence which the Greeks gave to the oracles, and the Middle Ages to the Pope, is given to the Supreme Court. Those who have studied the working of the American Constitution know that the Supreme Court is part of the forces engaged in the protection of the plutocracy. But of the men who know this, some are on the side of the plutocracy, and therefore do nothing to weaken the traditional reverence for the Supreme court, while others are discredited in the eyes of the ordinary quiet citizens by being said to be subversive and Bolshevik.

Bertrand Russell

It has been said that America is a nation "of the people, by the people, and for the people". It's a rare person who believes that any more. Congressional approval ratings have dipped as low as 8% in recent years. People feel disenfranchised and extremely uncomfortable about what our government is doing. What it does do oftentimes seems so insane that something must be wrong with us if all those smart people we hired to represent us believe differently.

Nothing is wrong with us, and the first part of this book intends to prove that to you. We are generally an intelligent, honest, caring, and reasonable people. What is wrong is that we are no longer part of a government of, by, and for the people. We are a government of, by, and for the wealthy movers and shakers of the world—and not just America.

Because we have been taught lies about our history in our public schooling, we don't believe that we are capable of wholly participating in a government of, by, and for the people. We think that our participation is basically limited to

entering the voting booth. After all, only 535 people represent nearly 320 million people. Chances of participating in any meaningful way is exceedingly small, and if you are not wealthy and well-connected, absolutely impossible.

One would think that a government of, by, and for people with mandatory schooling would teach a class in the Constitution and basic constitutional law before a student graduates from high school. If it's our government, we should know what our Constitution says so we know how our government is supposed to work. That's the only way we can protect it from corruption. Our school systems don't work that way. We've learned about the structure of government and the Bill of Rights and perhaps one or two other amendments, but less than 2% of the people say that they have read the Constitution. That's dangerous. It allows us to be led into an intentionally manufactured delusion.

The kind of delusion I am talking about in this book is not the same as a delusional disorder, that is a mental health issue often associated with illnesses such as schizophrenia. This is a delusion caused by those you trusted teaching you lies as truth. It's a symptom of a social illness, not a mental illness. Thus you are living in a country where you think that we are governed by our Constitution when nothing can be farther from the truth. We lost our government in a bloodless coup d'état a long time ago, and this information has been withheld from you.

Let us not blame the teachers or our parents who taught us those lies, because they were also taught the same lies. Teachers are given the books that determine the curriculum that never ever gets to the fact that we no longer live in a Constitutional Republic. We live in a Common Law government. (As you read, these things will be explained.) In a Common Law government, people are automatically disenfranchised. The whole reason we had a War of Independence is our ancestors' revulsion of the tyranny and corruption that accompanies common law governments.

These are rather bold claims, I know, and you are not expected to take them at face value. The easiest way to prove to yourself that you have been caught in a trap called the American Delusion is to look at how our Constitution says government is supposed to work, and compare it to how government actually works. An effective way of doing this is to compare Supreme Court decisions to the actual Constitution. It can actually become a game.

For example, let's start with an easy case, Wickard v. Filburn. It pertains to the "Commerce clause" that is in Article I, Section 8, paragraph 3 of the Constitution. It reads, "[Congress has the power] *To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"*

Dateline 1940: The country is in the midst of The Great Depression. Two years before, Congress passed the "Agriculture Adjustment Act of 1938" using the commerce clause as the basis for the Act. Its purpose was to raise the price of wheat by limiting supply under the alleged auspices of restarting and stabilizing the nation's economy.

Roscoe Filburn had a 95-acre dairy farm near Dayton Ohio. He raised chickens for both poultry and eggs to eat, selling the excess. He also raised dairy cows that provided for his family and left some to sell. And he grew wheat to feed the animals, provide for the family's baking needs, produce the following year's seed, and some to sell. Everything that he sold was sold nearby—within Ohio's borders.

The federal government told Mr. Filburn that he could only farm 11.1 acres of wheat at a yield of no more than 20.1 bushels per acre. That didn't sound right to Filburn, who was well aware of long soup lines because people couldn't afford to buy food. It also didn't make Constitutional sense.

Filburn pulled out his copy of the Constitution and reassured himself that Congress doesn't have the right to do that. The Constitution confirmed what Filburn thought. Congress did not have the right to regulate commerce in a local

community or within a single state. That is the sole purview of the State, if it chooses to use that power.

Furthermore, the 10th Amendment reads, *"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."* This means that if the Constitution doesn't enumerate a power, government doesn't have that power. Nowhere in the Constitution is government given the power to regulate commerce within a State's borders.

Filburn refused to comply with the order and was fined for his offense. He refused to pay the fine. The case made it to the Supreme Court. Here is how the cases were argued (in extra-extra brief)

FILBURN
Attorney for Farmer Filburn: The Constitution says that the federal government has no jurisdiction in a State's commerce. All Filburn's commerce was local and nothing was sold outside state lines. The order was unconstitutional.
Wickard standing for the U. S. GOVERNMENT
Mr. Filburn is harming interstate commerce. Because he grows his own wheat, he does not buy any on the open market. His self-sufficiency harms interstate commerce. Because of this, his actions must come under the purview of Congress that regulates interstate commerce. This must be stopped.

Now you are the justices. How would you decide? Does the Constitution say that people and the states may not harm interstate commerce? Or does it say that the federal government may not regulate in-state commerce?

Paused for your deliberation

There is a saying that the longer a document is, the more its authors are trying to cover up something nasty. It is the same in Supreme Court Decisions. In Wickard v. Filmore, the court only needed to say: The Constitution says that "*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.*" Congress has no right to regulate commerce within a State.

In the case of Wickard v. Filburn, here is what the Court's ten page decision concluded:

Mr. Filburn harmed interstate commerce. He was forced to pay the fine and he was stopped from growing more wheat than the federal government allotted.

The court didn't stop there, however. It went on into areas of law not even before it. It decreed that <u>even the act of personal consumption</u> violated the Act when it wrote: "in addition to its conventional meaning, it also means to dispose of". When the Court changes the conventional meanings of words, it is imposing something called the doctrine of "Words are Magic", an actual judicial doctrine. When the court issues a doctrine, it is considered a law and it limits Congress in what it may do in the future. You won't find the "Words are Magic" doctrine in the written Constitution, but it is more legal than any part of the Constitution, and the court uses it routinely, as you will soon see.

Because of the "Words are Magic" doctrine", government can now regulate what you put in your mouth, what you are allowed to eat or drink, or even if you will be allowed to eat at all. It has already taken that freedom away from you without your consent. If government has the authority to determine what and if you will eat and that you must buy your food rather than grow it, there should be an amendment to the Constitution saying that. There is not.

That freedom is gone and it is a rare person who knows that it was forcibly taken from us without the people's consent. The court said in its decision *"Hence, marketing quotas not only embrace all that may be sold without penalty, but also what may be consumed on the premises."*

You might find it interesting to know that this case was also the justification for the Affordable Care Act. The reasoning there was that if Congress can force you to buy (from private, for-profit businesses) what you put in your mouth, then it can certainly force you to buy insurance from for-profit businesses that lobbied for the law and profits from it, anything in the Constitution not withstanding. If we actually were a government of, by, and for the people, we would have been offered an amendment for our consideration.

In the case of Wickard v. Filburn, how did you decide?

If you decided in favor of Farmer Filburn, you decided in favor of the Constitution of the United States of America. That means that you are perfectly capable of being a part of a government "of the people, by the people, and for the people".[1] And that means that we can get ourselves out of the mess we are in. Good for you and good for us!

When enough people are educated enough to know what our Constitution says, we can peacefully reclaim our government and restore the freedom with safety that our ancestors fought and died to give us. This book will walk us all the way through how to accomplish that.

Americans are curiously terrified at the thought of reading the Constitution. They think it's too complex. It's not complex at all.

Here is how to look at it:

[1] From the Gettysburg Address

The Preamble is our mission statement. It begins with "*We the People of the United States, in Order to form a more perfect Union, …*" It is not law.

Article One deals with Congress, the only branch with any constitutionally authorized legislative power. The "Sections" within Article One deal with various rules and qualifications, but the Sections that you must be especially familiar with are Sections 8-10:

- Section 8: What Congress may spend money on then regulate
- Section 9: More limits on what Congress may legislate
- Section 10: Limits on States' rights

Article Two deals with the executive.

Article Three explains the judiciary.

Article Four: Rules for and about States.

Article Five: The amendment process.

Article Six: All treaties must be honored and oaths of office taken.

Article Seven: How to ratify the Constitution. You will never need to refer to it as it was ratified over 200 years ago.

Chapter 02

Corporate Personhood
And the
Dartmouth College Doctrine

"I'll believe that a corporation is a person
as soon as I see Texas executing one"
sign at an Occupy Wall Street rally

We could trace the idea of corporate personhood (implied or virtual people) back to the 4th century, but to speed things up a bit, lets begin in Dartmouth, New Hampshire. We will look at a case called Dartmouth College v. Wheelock.

Facts of the Case, as taken from TheFreeDictionary[2] and lightly edited are:

"Dartmouth College was founded in 1769 by Reverend Eleazer Wheelock as a school for missionaries and Native Americans. During the 1750s, Wheelock financed the school with his own money. He launched an extensive fundraising effort in England and Scotland in the 1760s and received generous contributions. However, his benefactors wanted assurances that the money they were sending overseas would be properly spent.

"To allay their concerns, Wheelock instituted a management structure by which an English board controlled the school's finances and a colonial board managed the everyday affairs of the school and its missions." In 1769, Wheelock obtained a

[2] http://legal-dictionary.thefreedictionary.com/Trustees+of+Dartmouth+College+v.+Woodward

Royal Charter from King George. "The charter outlined the governing structure of the school, including the English and colonial boards of trustees.

"After Wheelock's death in 1779, his son, John Wheelock, assumed the presidency of Dartmouth College. During the ensuing years, various circumstances, including the American Revolution, brought severe hardships to the college. Funding was scarce, land titles were uncertain, and the value of the college's assets diminished. After the war, disputes arose between Wheelock and the now the fully American board of trustees [that replaced the British board] over the administration of the college, and in August 1815, a group of dissatisfied board members prepared resolutions to remove Wheelock from office.

"A struggle for control followed, and the dissident faction, composed of Democratic-Republicans (anti-federalists) who wanted the sovereign Nation-State of New Hampshire to control the school, enlisted the support of the legislature.

"In December 1816, the legislature passed a law calling the school a corporation and giving it a charter[3]. It also renamed the school "Dartmouth University", and made it a public school controlled by a state-appointed governing board.

"The controlling faction on the old board, all of whom were Federalists, [anti-constitutional nationalists, and all of whom were suddenly out of very nice jobs,] wanted to maintain Dartmouth College's private, sectarian character. They maintained that the school's charter was a contract between King George III and the trustees. Because Article I, Section 10, of the U.S. Constitution prohibits states from passing any law that impairs contractual obligations, they argued that the legislature could not alter the governing method prescribed in the charter.

3 Which is why the story could begin with the beginning of the Dark Ages because only governments can grant charters.

"The Democratic-Republicans maintained that because the charter was handed down under the authority of the English monarchy before the American Revolution, it had no legal effect in a U.S. court. The original charter dissolved with [the enactment of the] Treaty of Paris and New Hampshire had a responsibility to regulate, for its citizens' protection, what could be chartered in the State.

"In February 1817, the trustees filed a lawsuit against William Woodward, a former secretary of the old board who had transferred his allegiance and became the secretary-treasurer of the new state-appointed board [of trustees]. The suit claimed that the legislature's actions violated the old board's constitutional freedom of contract and petitioned the court to compel Woodward to return the college's records, books, and seal, and to pay $50,000 in damages."

The New Hampshire Supreme Court ruled against the plaintiffs, holding that Dartmouth College's pre-war British imperial charter was not a contract entitled to constitutional protection. It dissolved when New Hampshire gained its independence and became a sovereign nation, and when financial control reverted to the American board of trustees.

The case made its way to the Supreme Court. Now you are a justice. How do you decide the case. You must answer these questions:

- Was the charter granted by King George dissolved when England gave up her American colonies and New Hampshire became an independent nation?
- Must New Hampshire be governed in any part by King George's contract?
- If so, did the board have the right to change its charter to revert financial control from England to themselves without the king's written permission?
- Did the new nation of New Hampshire have the right to establish its own charters for the people's protection?

Pausing for your deliberations

If your decision is short, sweet, and to the point (the contract was voided with the Treaty of Paris that brought an end to the Revolutionary war) Congratulations! You are very capable of participating in a government of, by, and for the people.

For the Supreme Court, however, we can't say the same thing.

Federalist Chief Justice John Marshall's opinion defined a corporation as "an artificial being, invisible, intangible, and existing only in contemplation of law." (A ghost person or a god-like person) According to the Court, a corporation possesses only the properties and powers conferred upon it by law as defined by the Court. Dartmouth College was a corporation and, as a party to the contract created by the original charter (it did survive the Revolution), it could enforce its constitutional right to be free from impairment of its obligation.

The Free Dictionary[4] describes the decision this way:

"The Dartmouth College case had far-reaching implications. By establishing that private corporate charters are contracts protected by the Constitution, this decision enabled business corporations to operate under whatever terms are dictated in their charters (and in a case we will read about later – or not to operate within the terms dictated by their charters), without fear of interference by the State." This new corporate power taken directly from the peoples' freedom at the expense of their safety, was an important agent in the enormous growth of Robber Barons and other corporations in the nineteenth and early twentieth centuries.

"The Dartmouth College case was criticized by some as awarding free rein to corporations and usurping state regulatory power. However, the case was

[4] http://legal-dictionary.thefreedictionary.com/Trustees+of+Dartmouth+College+v.+Woodward

interpreted not to prevent states from regulating businesses but rather to restrict states from interfering with a corporation's charter provisions. (So far you have seen yourself lose freedoms, now the States have lost the power to protect their citizens from corporate abuses.)

A further refinement of the doctrine came when the court held that all contracts are subject to the superseding power of Eminent Domain and "**the preexisting and higher authority of the laws of nature,** of nations, or of the community." (But not of the Constitution of the United States of America, and not of the community, no matter what it said, because by virtue of its own Constitution (contract), New Hampshire was a self-organized community.)

When the Court used the words, "laws of nature", it did so in the context of the times. The Declaration of Independence refers to "Nature's God", which means laws of nature, which many today think means God himself even though this was never intended by Deist Thomas Jefferson who wrote the declaration. By using those particular words at that particular time, the court is giving itself the authority to be the country's high priests and revelators of divine knowledge. In fact, it makes the court into a god because the Court can overrule any provision of the Constitution on moral grounds, or the commandments of any god it wants. The high court is America's self-proclaimed god.

When the decision refers to the Law of Nations, it refers to a political philosophy that goes back to the Holy Roman Empire, later expanded upon by Frenchman Emerich de Vattel, which he published in 1758. The Constitution does mention the Law of Nations, but it does so only in a military context. Article I Section 8 gives Congress the power: "*To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;*"

The Court supported its decision by referring to a case called Fletcher v. Peck that we should learn about in preparation for the next chapter because that case

overlaps this one. Fletcher v. Peck involved a land-development deal in Georgia. Here is the story as taken from Wikipedia (lightly edited):

"Following the Treaty of Paris that ended the American Revolution, Georgia claimed possession of the Yazoo lands, a region of the Indian Reservation west of its own territory. This land later became the states of Alabama and Mississippi.

"In 1795, the Georgia legislature divided the reservation into four tracts. The state then sold the tracts to four separate land development companies for a total price of $500,000, i.e. about 1.4 cents per acre, which was a good deal seeing as the Louisiana purchase cost us just under 3 cents an acre in the same year that Peck purchased his 15,000 acres.

"The Georgia legislature overwhelmingly approved this land grant, known as the Yazoo Land Act of 1795. However, it was discovered that the Yazoo Land Act had been approved in return for bribes paid to almost the entire legislature. After the scandal was exposed, voters rejected most of the incumbents in the next election, and the new legislature, reacting to the public outcry, repealed the law and voided transactions made under it. The original Act became known as the Yazoo Land Fraud.

"When it came to the high court, Fletcher argued that since the original sale of the land had been declared invalid, Peck had no legal right to sell the land and had had committed a breach of contract. Fletcher and Peck were really in collusion. Their land holdings would be secured if the Supreme Court decided that Indians did not hold original title—and so Fletcher set out to lose the case.

"The Court ruled that the State legislature's repeal of the law was unconstitutional because you can't have ex post facto laws." The opinion held that the sale was a binding contract, so it is irrevocable, regardless of the degree of corruption and illegality involved in its coming into being. Yet in the same

breath, Chief Justice Marshall started to make it clear that contracts with the Indians are not contracts in the sense that other contracts are contracts.

This decision has accomplished many things so far.

1) It has caused the native inhabitants to lose their land gained by treaties that are apparently not contracts,
2) It established that contracts, no matter the degree of dishonesty, illegality, or complicity, are binding upon the State (taxpayers), and no state can void them, in essence putting contracts above the Nation-State's power.[5]
3) It marks the first time that the Court overturned a nation-State's law.

Thanks to decisions like these, America was fully engaged in the industrial revolution. Railroads, steel, and other commodities were big business. Unheard of wealth was being made by the few who had resources and contacts among the politically well-placed, who would later become known as the Robber Barons. But we were also heading into the inevitable Civil War that the anti-federalists had said couldn't be avoided if State sovereignty was ever violated.

5 The Oyez Project, as taken from http://www.oyez.org/cases/1792-1850/1810/1810_0

Chapter 4

Cherokee Nation v. Georgia

Tis bad enough in man or woman
To steal a goose from off a common;
But surely he's without excuse
Who steals a common from the goose.
Charles Stokes Carey: Commonplace Book of Epigrams

We would be remiss, in our own judicial review of the judiciary, were we to neglect to probe further into the judicial history of the Court relative to Native Americans.

To understand how Cherokee Nation v. Georgia came about and was eventually decided as it was, it is helpful to first know the history of the "Doctrine of Discovery" and the first inference to the unwritten "Law of Nations", that the Court traditionally uses as the basis of its decisions.

To do that, you do have to go back to a year before the fall of Constantinople (the eastern Roman Empire) in 1453. The land route from Asia to Europe had been severed and Europeans were desperately looking for new trade routes. This began the Age of Exploration.

As they went searching for new land and water routes to the east they found many different and unique cultures. King Alphonse of Portugal, seeing great financial opportunities, wanted to conquer these lands, but he needed the pope (Nicholas V) to grant him and his armies indulgences (ticket to heaven and grant of innocence, in spite of anticipated acts of depravity against God's creations.)

When the Supreme Court issues an indulgence, it doesn't call it an indulgence. It calls it an "Exception", an "Immunity", or even an "Abstinence". It is an

indulgence none-the-less, and history tells us the harm that indulgences cause.

This, the pope granted in exchange for receipt of God's portion of the spoils (just as the court issues indulgences in return for its government getting its portion of the spoils, which is why the Court always favors the wealthy and powerful over the rest of the people.)

In a papal bull called, Dum Diversas, (1452) excerpted here, Pope Nicholas wrote[6].

"To the dearest son in Christ Alfonse, illustrious King of Portugal and the Algarbians,Greetings and Apostolic Blessing

... "We grant you by these present documents, with our Apostolic Authority, full and free permission to invade, search out, capture, and subjugate the Saracens and pagans and any other unbelievers and enemies of Christ wherever they may be, as well as their kingdoms, duchies, counties, principalities, and other property [...] and to reduce their persons into perpetual servitude.

"... [Armies and those investing in them] will reasonably contribute from those possessions assigned by God, we grant, by the power of your sacrifice, a plenary forgiveness of all and individual sins, crimes, trespasses,...

"... 5. For the rest, since it would be difficult to carry this present letter to individual places where perhaps it would be doubted about its credibility, we want and decree with authority that to its transfer signed by the hand of Notary public and provided with seal of a bishop or High Court, same credibility is shown, as if the original letter were presented or shown.

[6] http://www.swarthmore.edu/SocSci/bdorsey1/41docs/02-las.html

"6. Consequently, it is not allowed to any person to infringe this sheet of our granting, pardon, will, indulgence, and decree, or dare to oppose it rashly. If, however, anyone tried to tamper with it, he would incur the indignation of the Omnipotent God, and of blessed Apostles Peter and Paul."

It was this Papal Bull, plus one following two years later (1454: The Bull Romanus Pontifex[7] (Also by Nicholas V) that reinforced the previous Bull, and extended its indulgences. These Bulls are the basis of the Court's position in this chapter's case, because these Bulls introduce "The Discovery Doctrine". If you discover a land, you can plunder at will and even enslave its people, as long as you pay appropriate financial homage to the grantor of the indulgence. The Bulls also mark the beginning of the "Law of Nations" that the Court relies heavily upon to render its version of justice.

With these Bulls, the Portuguese slave trade of Africans began. The savagery of the Spanish Conquistadors in South America, Central America, and America's southwest, began here as well. What happened there makes Hitler look childishly innocent by comparison.

The cruelties by the Spanish on the Central and South American indigenous people was vividly described in a book by Bartoleme de Las Casas, a Dominican friar working in the area. He was 18 when he arrived on the Island of Hispaniola in 1502, and he remained there for five years before returning to Spain. From that point on, he made it his mission to have the barbarity stopped. A year after returning to Spain, he went to Rome to be ordained as a priest. At that point, he had a private audience with the pope, where he informed the pope of the savage cruelty being done in the name of God.

In 1542, he wrote a book, called "Brief Account of the Devastation of the Indies" in an attempt to bring the world's attention to things most un-Christian in

[7] Wikipedia

Christendom. It is brutal reading, but it's important to look with a clear head at what indulgences along with the Doctrine of Discovery and the (implied) Law of Nations does to a people. This is likely what the pope heard in 1506.

"The Indies were discovered in the year one thousand four hundred and ninety-two. In the following year a great many Spaniards went there with the intention of settling the land. Thus, forty-nine years have passed since the first settlers penetrated the land, the first so claimed being the large and most happy isle called Hispaniola, which is six hundred leagues in circumference.

"Around it in all directions are many other islands, some very big, others very small, and all of them were, as we saw with our own eyes, densely populated with native peoples called Indians. This large island was perhaps the most densely populated place in the world. There must be close to two hundred leagues of land on this island, and the seacoast has been explored for more than ten thousand leagues, and each day more of it is being explored. And all the land so far discovered is a beehive of people; it is as though God had crowded into these lands the great majority of mankind.

"And of all the infinite universe of humanity, these people are the most guileless, the most devoid of wickedness and duplicity, the most obedient and faithful to their native masters and to the Spanish Christians whom they serve. They are by nature the most humble, patient, and peaceable, holding no grudges, free from embroilments, neither excitable nor quarrelsome.

"These people are the most devoid of rancors, hatreds, or desire for vengeance of any people in the world. And because they are so weak and complaisant, they are less able to endure heavy labor and soon die of no matter what malady.

"The sons of nobles among us, brought up in the enjoyments of life's refinements, are no more delicate than are these Indians, even those among them who are of the lowest rank of laborers. They are also poor people, for they not only possess

little but have no desire to possess worldly goods. For this reason they are not arrogant, embittered, or greedy.

“Their repasts are such that the food of the holy fathers in the desert can scarcely be more parsimonious, scanty, and poor. As to their dress, they are generally naked, with only their pudenda covered somewhat. And when they cover their shoulders it is with a square cloth no more than two varas in size.

“They have no beds, but sleep on a kind of matting or else in a kind of suspended net called bamacas. They are very clean in their persons, with alert, intelligent minds, docile and open to doctrine, very apt to receive our holy Catholic faith, to be endowed with virtuous customs, and to behave in a godly fashion. And once they begin to hear the tidings of the Faith, they are so insistent on knowing more and on taking the sacraments of the Church and on observing the divine cult that, truly, the missionaries who are here need to be endowed by God with great patience in order to cope with such eagerness.

“Some of the secular Spaniards who have been here for many years say that the goodness of the Indians is undeniable and that if this gifted people could be brought to know the one true God they would be the most fortunate people in the world.

“Yet into this sheepfold, into this land of meek outcasts there came some Spaniards who immediately behaved like ravening wild beasts, wolves, tigers, or lions that had been starved for many days. And Spaniards have behaved in no other way during the past forty years, down to the present time, for they are still acting like ravening beasts, killing, terrorizing, afflicting, torturing, and destroying the native peoples, doing all this with the strangest and most varied new methods of cruelty, never seen or heard of before, and to such a degree that this Island of Hispaniola once so populous (having a population that I estimated to be more than three million), has now a population of barely two hundred persons.

“The island of Cuba is nearly as long as the distance between Valladolid and Rome; it is now almost completely depopulated. San Juan [Puerto Rico] and Jamaica are two of the largest, most productive and attractive islands; both are now deserted and devastated. On the northern side of Cuba and Hispaniola he the neighboring Lucayos comprising more than sixty islands including those called Gigantes, beside numerous other islands, some small some large. The least felicitous of them were more fertile and beautiful than the gardens of the King of Seville.

“They have the healthiest lands in the world, where lived more than five hundred thousand souls; they are now deserted, inhabited by not a single living creature. All the people were slain or died after being taken into captivity and brought to the Island of Hispaniola to be sold as slaves. When the Spaniards saw that some of these had escaped, they sent a ship to find them, and it voyaged for three years among the islands searching for those who had escaped being slaughtered, for a good Christian had helped them escape, taking pity on them and had won them over to Christ; of these there were eleven persons and these I saw.

“More than thirty other islands in the vicinity of San Juan are for the most part and for the same reason depopulated, and the land laid waste. On these islands I estimate there are 2,100 leagues of land that have been ruined and depopulated, empty of people.

“As for the vast mainland, which is ten times larger than all Spain, even including Aragon and Portugal, containing more land than the distance between Seville and Jerusalem, or more than two thousand leagues, we are sure that our Spaniards, with their cruel and abominable acts, have devastated the land and exterminated the rational people who fully inhabited it. We can estimate very surely and truthfully that in the forty years that have passed, with the infernal actions of the Christians, there have been unjustly slain more than twelve million men, women,

and children. In truth, I believe without trying to deceive myself that the number of the slain is more like fifteen million.

“The common ways mainly employed by the Spaniards who call themselves Christian and who have gone there to extirpate those pitiful nations and wipe them off the earth is by unjustly waging cruel and bloody wars. Then, when they have slain all those who fought for their lives or to escape the tortures they would have to endure, that is to say, when they have slain all the native rulers and young men (since the Spaniards usually spare only the women and children, who are subjected to the hardest and bitterest servitude ever suffered by man or beast), they enslave any survivors. With these infernal methods of tyranny they debase and weaken countless numbers of those pitiful Indian nations.

“Their reason for killing and destroying such an infinite number of souls is that the Christians have an ultimate aim, which is to acquire gold, and to swell themselves with riches in a very brief time and thus rise to a high estate disproportionate to their merits. It should be kept in mind that their insatiable greed and ambition, the greatest ever seen in the world, is the cause of their villainies.

“And also, those lands are so rich and felicitous, the native peoples so meek and patient, so easy to subject, that our Spaniards have no more consideration for them than beasts. And I say this from my own knowledge of the acts I witnessed. But I should not say "than beasts" for, thanks be to God, they have treated beasts with some respect; I should say instead like excrement on the public squares. And thus they have deprived the Indians of their lives and souls, for the millions I mentioned have died without the Faith and without the benefit of the sacraments.

“This is a wellknown and proven fact which even the tyrant Governors, themselves killers, know and admit. And never have the Indians in all the Indies committed any act against the Spanish Christians, until those Christians have first and many times committed countless cruel aggressions against them or

against neighboring nations. For in the beginning the Indians regarded the Spaniards as angels from Heaven. Only after the Spaniards had used violence against them, killing, robbing, torturing, did the Indians ever rise up against them....

"On the Island Hispaniola was where the Spaniards first landed, as I have said. Here those Christians perpetrated their first ravages and oppressions against the native peoples. This was the first land in the New World to be destroyed and depopulated by the Christians, and here they began their subjection of the women and children, taking them away from the Indians to use them and ill use them, eating the food they provided with their sweat and toil.

"The Spaniards did not content themselves with what the Indians gave them of their own free will, according to their ability, which was always too little to satisfy enormous appetites, for a Christian eats and consumes in one day an amount of food that would suffice to feed three houses inhabited by ten Indians for one month. And they committed other acts of force and violence and oppression which made the Indians realize that these men had not come from Heaven. And some of the Indians concealed their foods while others concealed their wives and children and still others fled to the mountains to avoid the terrible transactions of the Christians.

"And the Christians attacked them with buffets and beatings, until finally they laid hands on the nobles of the villages. Then they behaved with such temerity and shamelessness that the most powerful ruler of the islands had to see his own wife raped by a Christian officer.

"From that time onward the Indians began to seek ways to throw the Christians out of their lands. They took up arms, but their weapons were very weak and of little service in offense and still less in defense. (Because of this, the wars of the Indians against each other are little more than games played by children.) And

the Christians, with their horses and swords and pikes began to carry out massacres and strange cruelties against them.

“They attacked the towns and spared neither the children nor the aged nor pregnant women nor women in childbed, not only stabbing them and dismembering them but cutting them to pieces as if dealing with sheep in the slaughter house.

“They laid bets as to who, with one stroke of the sword, could split a man in two or could cut off his head or spill out his entrails with a single stroke of the pike.

“They took infants from their mothers' breasts, snatching them by the legs and pitching them headfirst against the crags or snatched them by the arms and threw them into the rivers, roaring with laughter and saying as the babies fell into the water, "Boil there, you offspring of the devil!"

“Other infants they put to the sword along with their mothers and anyone else who happened to be nearby.

“They made some low wide gallows on which the hanged victim's feet almost touched the ground, stringing up their victims in lots of thirteen, in memory of Our Redeemer and His twelve Apostles, then set burning wood at their feet and thus burned them alive.

“To others they attached straw or wrapped their whole bodies in straw and set them afire.

“With still others, all those they wanted to capture alive, they cut off their hands and hung them round the victim's neck, saying, "Go now, carry the message," meaning, Take the news to the Indians who have fled to the mountains.

"They usually dealt with the chieftains and nobles in the following way: they made a grid of rods which they placed on forked sticks, then lashed the victims to the grid and lighted a smoldering fire underneath, so that little by little, as those captives screamed in despair and torment, their souls would leave them....

"After the wars and the killings had ended, when usually there survived only some boys, some women, and children, these survivors were distributed among the Christians to be slaves. The repartimiento or distribution was made according to the rank and importance of the Christian to whom the Indians were allocated, one of them being given thirty, another forty, still another, one or two hundred, and besides the rank of the Christian there was also to be considered in what favor he stood with the tyrant they called Governor.

"The pretext was that these allocated Indians were to be instructed in the articles of the Christian Faith. As if those Christians who were as a rule foolish and cruel and greedy and vicious could be caretakers of souls! And the care they took was to send the men to the mines to dig for gold, which is intolerable labor, and to send the women into the fields of the big ranches to hoe and till the land, work suitable for strong men.

"Nor to either the men or the women did they give any food except herbs and legumes, things of little substance. The milk in the breasts of the women with infants dried up and thus in a short while the infants perished. And since men and women were separated, there could be no marital relations. And the men died in the mines and the women died on the ranches from the same causes, exhaustion and hunger. And thus was depopulated that island which had been densely populated."

This graphic description of all that was being done in the name of God, under the papal seal of approval (in exchange for God's portion of the booty) caused a growing theological division in Catholic thought. It was long thought that Native Americans were not people, thus not deserving of natural rights, because they

were not deserving of baptism. Because of their gentle demeanor, the Conquistadors, and much of Christendom, insisted they were made by God to work and serve Christians, like other docile work animals given by God to be dominated by them.

The question of whether the indigenous people were human or a lower form of animal life, necessarily involved the questions of whether they deserve economic rights, such as the right to own property, and spiritual rights, meaning the right to worship God, thus be treated with human dignity.

In 1515, de las Casas met with King Ferdinand to tell him of what was happening, resulting in laws that had little to no effect. The arguments about whether Native Americans were human or not, went on until Pope Paul III, in the Papal Bull Sublimis Dei [8] (1537) decreed that the Native Americans are humans, and as proof, have asked for conversion. Thus, having asked for conversion, they are capable of human thought, which qualifies them for baptism and standing as people rather than animals.

This Bull overturned the previous Doctrine of Discovery, now requiring that life, liberty, and guarantee of property rights, be extended to all Indians (though the Papal Bull did not extend such rights to the profitable African slave trade). The Doctrine of Discovery represented bloodthirsty profits, and it faded into history for a few hundred years. But the Supreme Court, steadily turning us into a re-creation of the Holy Roman Empire, the Court, with itself as its Caesar/God, rediscovered it and raised it from the dead.

Under the Doctrine of Discovery, people can steal land, ensalve people, and do all sorts of butchery, and it is perfectly moral. It <u>was</u> moral under Catholic law because those deeds were done with the full authority granted by the pope who is the ultimate moral authority. It <u>is</u> moral under American law because gross

[8] http://www.papalencyclicals.net/Paul03/p3subli.htm

atrocities that we are doing, are being done under the authority granted by the Supreme Court, that has declared itself to be the authority that determines morality and law. Because of the Holy Roman Empire, that forcefully imposed its worldview on generation after generation throughout western civilization, the idea of domination and defending ourselves from retaliation while blaming the victims we attacked seems right and just to us. It's part of our delusion.

With that backdrop laid out, let us look to Cherokee Nation v. Georgia:

This chapter begins nearly 250 years after Sublimis Dei voided the Doctrine of Discovery. The year is 1831, and before us is a royal charter as well as a treaty between the Cherokee Nation and the U. S. Government.

King George granted land to the Indians with a charter. The U. S. treaty added another layer of protection for the Cherokee Nation. It prohibited the white man from settling on Cherokee lands. The Cherokee recognized that it exists under the protection of the United States (The U.S. would protect it). It assured the Cherokee (among other assurances) that if white man already there did not leave within six months, the Indians may "punish him or not as they please".

The treaty was never honored by the white man. People kept moving onto Cherokee lands and the government did not give the Indians the promised protection. Tensions and violence increased, always being blamed on the Indians, though they had a legal right to defend their territory using whatever punishment they wanted. This resulted in natives gaining an undeserved reputation for violence rather than the violent and encroaching land thieves. Consequently, ten years later, the Cherokee were forced into another treaty called the Treaty of the Holston.

The Treaty of The Holston required the Indians to give up more of their land in exchange for a yearly monetary annuity as compensation.

Less than ten years later, Georgia ceded large parts of its land to the federal government. As you have seen, these lands were granted to the Indians under a King George charter, and further protected by United States treaty obligations with the Indians. Ceding part of its land was done in exchange for the federal government's removing the Indians in the State of Georgia. By the 1820s, the Georgians were beginning to think that they had been hoodwinked and that the Indians would never leave.

It's not like the Indians were not being forced out. They were, but through incremental steps rather than a military style forced march. Throughout their involvement with the United States, the Indians were forced to cede more and more land. The treaties detailing these concessions occurred in 1792, 1798, 1804, 1805, 1806, 1814, 1816, 1817, 1819, 1828, and continuing, but there is no need to go beyond that point for now, because we have arrived at the 1830s and Andrew Jackson is president.

During all of this time of forced concession after concession, the court was hearing cases like Fletcher v. Peck (last chapter) that not only dealt with these specific lands, but suggested that treaties with Natives could be UN-treaties, no matter how much bribery or other corruption was part of a land deal that stole their land from them.

Another case called Johnson v. M'Intosh (1823) is also worthy of note as it pertains to the case you will decide on today. Johnson v. McIntosh is about two people who bought Native American-owned land. One bought the land from the Natives and the other bought land from the government even though a treaty said that the natives owned the land, so the American government didn't own it and couldn't sell it. Both claimed that their deeds were valid.

The case made it to court. The Court, that did not seek the opinion of the Native Americans who actually held a charters and contracts to (own) their lands, decided that the Native Americans did not have the right to sell their lands,

because the Royal Charter's provisions were ceded to the United States when England signed its peace treaty with America.

Let us recall for a moment "The Dartmouth College Doctrine" examined in the last chapter. There the Court ruled that the king's charter was an unviodable contract, and that the U. S. Constitution made all contracts unbreakable by either State or federal governments. In the case we're looking at now, Johnson v. M'Intosh, the Court carved out an exception (issued an indulgence) so it didn't have to void earlier doctrine.

Divining that the Holy Roman Empire's "Doctrine of Discovery" is still in force, and must have been meant to exist for the purpose of assimilating conquered peoples, (The Conquored Peoples Doctrine) the Court decided that in the case of Native Americans, this was impossible to accomplish because they will not allow themselves to be conquered, because they treasure their freedom too much:

"But the tribes of Indians inhabiting this country were fierce savages, whose occupation was war, and whose subsistence was drawn chiefly from the forest. To leave them in possession of their country, was to leave the country a wilderness; (protect nature) to govern them as a distinct people, was impossible, because they were as brave and as high spirited as they were fierce, and were ready to repel by arms every attempt on their independence."[9]

It didn't stop there, though. The Court decreed that because of the ancient "Discovery Doctrine" the Natives don't own the land granted to them by charter. The Indians can only live on the land for as long as the United States allows them to.

Encouraged by this most recent decision as well as the earlier Fletcher v. Peck, and not so surprisingly upon hearing false rumors of GOLD! being spotted in the

[9] http://ftp.columbia.edu/itc/history/baker/w3630/edit/johnmintosh.html

Cherokee reservation, the nation-state of Georgia enacted a series of laws that stripped the Cherokee of any rights, and it voided the federal treaty (another contract) that the U. S. Government established with them.

The Chief of the Cherokee Nation led a delegation to Washington. The purpose was to resolve disputes over the failure of the US government to pay the promised annuities to the Cherokee, and to ask the government to honor its treaties, and to protect the Cherokee from infringements on their territory, as the government promised it would upon signing the treaties.

Rather than lead the delegation into futile negotiations with the hostile President Andrew Jackson, who wanted them removed through the use of force, the chief appealed to Congress.

The chief found some support in Congress but President Jackson would support the right of Georgia to do as it pleases. He gave it full freedom to extend its power into Cherokee lands, in direct and unconstitutional violation of all treaties as well as the charter that gave them the land.

With all of this being the backdrop, the case made it to the Supreme Court. Here are the relevant portions of the Constitution that you should consider:

Article I (powers of Congress and limits on the States), Section. 10: *No State shall … pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts*…(A treaty is a contract.) Earlier, the Court said that the Royal Charter is a contract that survived the War.

Article II (Presidential powers), Section 2: *"He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur…"*

Article III (Judicial responsibilities), Section. 2: *And The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority…to Controversies to which the United States shall be a Party…or the Citizens thereof, and foreign States, Citizens or Subjects.*

Article IV: *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*

Article VI: *"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. … 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;*

Some of The questions you have to ask yourself are:

1) Did the contractual protections dissolve when the king granted a charter to Native Americans? As you will recall, they didn't when it came to wealthy white men of the court's political party.
2) Can the State of Georgia void a federal treaty?
3) Can Georgia legally violate the contract (treaty that is the Constitution of the United States) among the states and its people?
4) Does the Supreme Court, which has already issued its "Separation of Powers Doctrine", have the power to void a treaty that came into existence by virtue of the president's and senate's concurrence?
5) Does the Constitution's Article VI affirming that treaties are the supreme law of the land, and all judges must honor them, apply?

6) Is the ancient Roman Catholic "Discovery Doctrine" from a discarded Papal Bull part of our "Law of the Land"?
7) Also, because of a bizarre turn in the case, you will need to decide if the Indian nations are nations, as the Constitution and all the treaties say they are, and if there is a difference between an Indian nation and a foreign nation.

Of course, before you decide any of that, you must also decide whether or not the Cherokee Nation has standing. Here are the over-brief postitions of the two parties:

Cherokee	Georgia
Treaties with the Cherokee affirm that the United States government recognizes the Cherokee nation as a "nation" so the court has jurisdiction. The Treaties, signed by the United States, obligates the United States to the terms of a contract, and the court has previously affirmed that all contracts are sacred and must be honored. Georgia unlawfully voided their treaty, an act that violated the Constitution. As Indians were required to submit to the "protection" of the united states, the Cherokee were asking for that protection.	The Cherokee have no standing. They can't sue as a foreign nation due to the fact that they are not "foreign" and they do not have a (western style) strong central government. (Theirs was democracy by consensus (a ground-up government), not a top-down hierarchical system of governance.)

How would you rule?

Pausing for your deliberation

How did you rule?

If you ruled in favor of the Constitution, Congratulations! You are very capable of and worthy of living in a government of, by, and for the people. It's much easier than we have been taught to think that it is, isn't it? When a handful of people have total power over the rest, things turn rotten very quickly. If we are not paying attention, we are in great danger.

How did the Court decide?

"This bill is brought by the Cherokee nation, praying an injunction to restrain the state of Georgia from the execution of certain laws of that state, which, as is alleged, go directly to annihilate the Cherokees as a political society, and to seize, for the use of Georgia, the lands of the nation which have been assured to them by the United States in solemn treaties repeatedly made and still in force.

"If courts were permitted to indulge their sympathies, a case better calculated to excite them can scarcely be imagined. A people once numerous, powerful, and truly independent, found by our ancestors in the quiet and uncontrolled possession of an ample domain, gradually sinking beneath our superior policy, our arts and our arms, have yielded their lands by successive treaties, each of which contains a solemn guarantee of the residue, until they retain no more of their formerly extensive territory than is deemed necessary to their comfortable subsistence. To preserve this remnant, the present application is made.

"Before we can look into the merits of the case, a preliminary inquiry presents itself. Has this court jurisdiction of the cause?"

The court ruled that because Article III did not include the right to rule in cases involving Indian Nations specifically, but only foreign nations generally, the court had no jurisdiction over the case. The Court ruled anyhow.

You might be wondering why the court did that, but don't wonder too long. If the court had ruled fairly, they would have had to honor the treaty obligations as well as the United States' Constitution.

Finding that idea abhorrent, the oracles of the court decided the conclusion in advance, then found a found a distorted thought pathway to avoid honoring the Constitution, as they now always do.

Voiding the part of Article VI that reads: *"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby",* Chief Justice John Marshall continued by divining the following:

"At the time the constitution was framed, the idea of appealing to an American court of justice for an assertion of right or a redress of wrong, had perhaps never entered the mind of an Indian or of his tribe. Their appeal was to the tomahawk, or to the government. This was well understood by the statesmen who framed the constitution of the United States, and might furnish some reason for omitting to enumerate them among the parties who might sue in the courts of the union."

Translated into common English: Article VI requiring government to honor its treaties doesn't apply in cases where the Court doesn't like what the treaty says.

It said that Indian nations are not the same kind of nations that other nations are. They are "unique in all the world". Words often mean different things at different times, the court said (The "Words are Magic Doctrine" again), and must be interpreted relative to the context. This, it said, is one of those cases.

As the Cherokee don't hold a legal title to the land (never having purchased it and the Royal charter having been dissolved with the Treaty of Paris and a treaty with

an Indian nation is not a contract), the Cherokee are merely occupying it, have no right to it, and may only stay until that right is terminated.

The decision led to the immediate formal expulsion of many Indians in a forced march that is today called the “Trail of Tears”. It is the first act of formal, national government-sponsored mass genocide and ethnic cleansing conducted by the people of the United States through their government—backed by its armies—under the Doctrine of Discovery. No less than 4,000 relocated Cherokee died of exposure, starvation, and disease during the forced march to the strange world of Oklahoma that they were to inhabit. Over the next ten years, over 70,000 Indians from throughout the nation were forced west of the Mississippi where they were given the promise that the land was theirs for as long as grass shall grow and the rivers shall run.

Only 70 years after that, Native Americans were again being forced off the land that had been guaranteed them forever. The heavy foot of Big Brother would stomp on the faces of the Indians another time in a list of violations that continue to this day.

Desperate to save his people, Chief Lone Wolf went to the Supreme Court (Lone Wolf v Hichcock) charging that the contract called the “Medicine Lodge Treaty” had been violated, and his people had been defrauded of land by congressional actions in violation of the treaty.

The Court declared that the "plenary power" (complete vesting of power) of the United States Congress meant that any branch of government had the authority to unilaterally abrogate (dismiss) treaty obligations/contracts between the United States and Indian nations).

To this day, no contract with the Native Americans has ever been honored.

Our government has shown constant willingness to abuse and not honor contracts with the indigenous people, even though the Indians maintained their end of the bargain while the government didn't maintain its. Our government is willing to abuse and not honor OUR common treaty among the States (The Constitution of the United States of America) that is the only protection we, the people, once had. We are a law-obeying people and it, along with the other branches of government, are not law-obeying bodies. Given this history of the Court and the history of the Roman Empires preceding ours, we are in grave danger.

Chapter 4

Doctrine and Standing

The Court's great power is its ability to educate, ***<u>to provide moral leadership</u>****.*

Justice William O Douglas

When citizens sue the government because of Constitutional violations, they are usually told that they have no standing to sue. Given this, it is natural to wonder what standing is. Is it explained in the Constitution? No, it is not.

The Constitution's Article III explains the role of the courts in American jurisprudence: *"The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, …"* It is actually longer than this excerpt, but the rest, being somewhat redundant, also includes instances where the Supreme Court has original jurisdiction—meaning that a case begins in the Supreme Court rather than in the lower courts. At no point is the court given the authority to issue "doctrine", which is nothing more than ex-post facto judicial activist legislation. In fact, the first words of the Constitution declare that ALL legislative power rests in the Congress, so the Constitution prohibits the Court from issuing doctrine that is considered law.

So when did citizens lose the right to bring a claim against the government? Why do the citizens have no standing to appeal to the court to defend the written Constitution? Are the people prohibited from seeking justice in other important areas? The answers lie in the hidden history of America.

The loss of your standing to stop your government from <u>spending money on unconstitutional programs</u> began with the 1913 passage of the 16th Amendment. (That is the same year that the Federal Reserve was established.) It reads, "*The Congress shall have power to lay and collect taxes on incomes, from whatever*

source derived, without apportionment among the several States, and without regard to any census or enumeration".

With its new and nearly unlimited taxing authority, Congress began thinking that it had new and nearly unlimited spending authority not authorized by the amendment or the Constitution. In reality, besides the general spending required to operate the government, Congress is extremely restricted in what it can legally spend money on.

Article I, Section 8 of the Constitution says: *"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;".* It then goes on to explicitly define what things are included in the term "general Welfare":

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

*To promote the Progress of Science and useful Arts**, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries**;*[10]

To constitute Tribunals inferior to the Supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

*To raise and support Armies, but **no Appropriation of Money to that Use shall be for a longer Term than two Years**;*

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the

[10] Note that it doesn't say that it may promote science and the useful arts by giving out grants.

Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

*To make all Laws which shall be necessary **and proper** for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. (bolds and underlines added for effect)*

Loss of freedom to decide how your money will be spent is called power of the government to determine for you, how YOUR money will be spent, whether Constitutional or not. Each freedom we lose is a power that government or corporations gain.

A few years after the passage of the 16th Amendment, Congress enacted The Maternity Act. The Act provided grants to states that agreed to establish programs aimed at protecting the health and welfare of infants and mothers. As you can see, the Constitution doesn't authorize grants for such things. In fact, it doesn't authorize grants of any kind. According to the 10th Amendment, by not enumerating that power, it prohibits it.[11]

Soon thereafter, two suits came before the Courts and were joined by the Supreme Court: Massachusetts v. Melon and Frothingham v. Melon. Each charged government with unconstitutional spending. When it reached the high court, the Court defended the government's power without actually defending it. It held that the plaintiffs did not have standing to sue, which is a way of avoiding answering the question at hand while covertly affirming the unconstitutional Act.

[11] The 10th Amendment reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The Court strengthened the already-existing doctrine of standing by saying that it had no power to review or annul acts of Congress without showing that an individual had sustained, or was in immediate danger of sustaining, a direct injury as a result of the statute. To have standing, the court decreed in yet another doctrine, one must meet two tests. The party claiming standing in a suit must be able to show that the statute is invalid. But he must also show that he has sustained, or is immediately in danger of sustaining, some direct[12] injury as the result of its enforcement, and not merely that he suffers in some indefinite way in common with people generally.

The Court did not look at the Constitutional violation before it. It looked at the matter of taxes, and ruled that the additional taxes were imposed on a vast number of taxpayers, "thus is not a matter of individual concern." This is the doctrine of "If most are injured, then none are sufficiently injured".

The next time this kind of freedom was swallowed up occurred when President Franklin D. Roosevelt began working to find a way to get us out of the depression. It was called "The New Deal". Not knowing, or perhaps not caring, that the fiscal system that caused the financial collapse was fundamentally broken and unsustainable, and it had even caused the depression, the unworkable fiscal system was strengthened.

President Franklin Roosevelt worked with Congress to reform the unconstitutional Federal Reserve (that caused the depression[13]) and establish the unconstitutional FDIC[14]. He also started pushing for public works projects to inject money into the system. He introduced the idea of the carrot and the stick.

[12] Based on the fact that injury by taxes is "indirect", and indirect harm is not good enough for standing in a Supreme Court case, you have lost more standing.
[13] Milton and Rose Friedman wrote "Free to Choose" that is an excellent book written for non-economists.
[14] The Federal Deposit Insurance Corporation (FDIC) is an independent agency created by the Congress to maintain stability and public confidence in the nation's financial system by: insuring deposits; examining and supervising financial institutions for safety and soundness and consumer protection; making large and complex financial institutions resolvable; and managing receiverships. (www.fdic.gov)

The stick was used to force business to accept some significant penalties. He put an end to child labor so that adults could find jobs, introduced a minimum wage (25 cents an hour), a maximum wage (wealthy had 94% tax rate), and Congress set a maximum work week of 44 hours.

Using the carrot, Roosevelt promised a massive explosion of unconstitutional government spending that would put money in the pockets of poor people and wealthy businessmen alike. This came in the form of social safety net programs that would put money in the hands of the seniors who were out of the work force, the unemployed, other government jobs programs designed to get immediate spendable money into more peoples' hands by putting people to work, and, as an added bonus, corporate welfare.

Roosevelt was acting under pressure from the working class, but he surely wasn't working for them. He worked for the interests of the wealthy capitalists like himself. He was in cahoots with the bankers.

Roosevelt faced problems getting his programs through the Supreme Court. As you saw above, almost none of his programs were constitutional. No where in Article I, Section 8, is government authorized to spend money on unemployment insurance, social security, Medicare, other social safety net programs that would come later, jobs programs, or cash payments to businesses. These things require the people's approval, which is only given through the amendment process.

Though Alexander Hamilton who gave us our unworkable financial system argued forcibly, after Constitutional ratification rather than before, that the General Welfare Clause was a grant of the unrestricted power of government to tax and spend as it sees fit, with the rest of the Constitution being meaningless, Madison, who actually wrote it, argued extensively and more rationally about what was actually meant as he wrote it. Madison's view was generally accepted by the courts until the Great Depression.

Madison said that the General Welfare clause can't mean that government has unlimited spending ability, because Article I, Section 8 goes on to list the specific things that Congress may lawfully spend money on. The idea that it could mean anything else is ludicrous.

Frustrated at all his efforts being thwarted by the Court, Roosevelt tried to stack the high court to get the votes to swing the Court away from the Constitution. He tried to increase the number of justices to fifteen. The legislation was tabled, but after that attempt at changing the Court, a shift occurred. For reasons never made public, one justice changed his view and went from anti-New Deal to pro-New Deal. It became known as the "The switch in time that saved nine". Associate Justice Owen Roberts went from a strict constructionist and defender of the constitution, thus anti-New Deal, to pro-New Deal.

The New Deal case we will look at now is another about the legality of the Agricultural Adjustment Act. This Act was designed to raise the prices on farm products. Government would pay farmers to not-grow, to let fields go fallow (cotton, wheat, and corn) as well as reduce production of dairy products such as milk and butter. It also paid them to not-raise pigs or lambs. The intent of this was to raise the price of food and clothing during the Great Depression, as people stood in soup lines and wondered where their next meal would come from. The money to pay the farmers for cutting back their production was raised by putting a tax on the companies that bought the farm products before processing them into food and clothing.

It's not the case that is so life-altering. It isn't. The court decided that government could not tax one group in order to pay money to another. But it is an important decision for another important reason.

United States v. Butler is the last time the Supreme Court struck down an Act of Congress as being beyond the authority granted by the Spending Clause of the Constitution. And welcome to today in America! From the day after U.S. v.

Butler, it's "anything goes" when it comes to tax and spend, hence, we are in the economic, social, and political crisis that we see as we observe what is happening in America and around the world.

This switch in the court is how, with a more recent but very narrow exception, you lost standing to bring suit against the United States when it goes beyond its mandate with regard to spending.

Standing is the idea that the Court uses to protect itself and its government from your 1st Amendment right to petition your government for a redress of grievances. It prevents its unconstitutional laws being questioned by anyone. It prevents the justices from having to make an honest determination about the constitutionality of existing laws. No matter how obviously and egregiously unconstitutional a law might be, the Court will not decide on the merits of the case if the petitioners don't have standing. This allows it to approve violations without looking like it is quietly approving them.

It's a convenient excuse. Because the practice was so hated by commoners in the old Europe, it was one of the very first things outlawed in the Napoleonic Codes, that detested the practice of judicial review and held a judge in violation of the law for refusing to adjudicate. Judicial review is also the first and second reasons for splitting from Britain as given in the Declaration of Independence, though the term judicial review didn't exist yet.

Today, to have standing, you have to <u>demonstrate</u> personal and direct harm. Whether that harm has to be financial rather than intellectual, emotional, or ethical is vague because the Court hasn't decided that for you yet. It can be whatever the Court wants it to be or doesn't want it to be if it doesn't want to rule on the merits of a case. It can set different standards for different groups, as you have already seen, it does all too often.

An early case of the Court decreeing the standing doctrine was the infamous Dredd Scott decision that we will use as our "You be the judge" case.

Most people understand that it was a bad decision, but few understand why. It's important that we all know that story. Wikipedia tells the back-story quite well, so I will present its article, lightly edited:[15]

"After purchasing Dred Scott in St. Louis, Missouri, in 1830, his owner, Mr. Emerson] "took him to Fort Armstrong in Illinois. As a free state, Illinois had been free as a territory under the Northwest Ordinance of 1787, and had prohibited slavery in its constitution in 1819 when it was admitted as a state.

"Six years later, Emerson moved with Scott from Illinois to Fort Snelling, which was located in the [free] Wisconsin territory in what would become the [free] state of Minnesota. Slavery in the Wisconsin Territory ... was prohibited by the United States Congress under the Missouri Compromise. During his stay at Fort Snelling, Scott married Harriet Robinson in a civil ceremony performed by Harriet's owner, Major Lawrence Taliaferro, a justice of the peace who was also an Indian agent. The ceremony would have been unnecessary if Dred Scott were a slave, as slave marriages had no recognition in the law.

"The following year the Army ordered Emerson to Jefferson Barracks Military Post, south of St. Louis, Missouri. Emerson left Scott and his wife at Fort Snelling, where he leased their services out for profit. By hiring Scott out in a free state, Emerson was effectively bringing the institution of slavery into a free state, which was a direct violation of the Missouri Compromise, the Northwest Ordinance, and the Wisconsin Enabling Act.

"Before the end of the year, the Army reassigned Emerson to Fort Jesup in Louisiana. ... Emerson sent for Scott and Harriet, who proceeded to Louisiana to

[15] https://en.wikipedia.org/wiki/Dred_Scott_v._Sandford

serve their master and his wife. While en route to Louisiana, Scott's daughter Eliza was born on a steamboat underway along the [northern] Mississippi River between Illinois and the free territory that would become Iowa.

"Because Eliza was born in free territory, she was born a free person under both federal and state laws. The Scott's second daughter was born on a federal military base rather than in the jurisdiction of the State of Missouri. Slavery laws pertained to States and Territories, not to the federal government itself.

"Because Congress said that slavery shall not exist in the free territories it governed, the Scotts were automatically emancipated upon their arrival in Illinois and the free territories after that, their daughters were born of free persons and as free persons. Unfortunately for the Scotts, throughout the south, it was illegal to educate a slave. They didn't know they should have simply refused to return south."

In 1846, Scott attempted to purchase his and his family's freedom, but Irene Emerson refused, prompting Scott to resort to legal recourse on behalf of himself, his wife, and his two daughters independently. His original case was paid for by a former owner.

After a long and drawn out series of trials, where Scott initially won his and his family's freedom, the case finally made its way to the Supreme Court. Now you are that court. Based on the U. S. Constitution at the time, and not of your abhorrence to slavery, how would you rule?

The primary questions before you are:

1) What does Article IV, Section 2 of the Constitution mean what it says: ("*The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.*"

2) Does Article IV, Section 3 of the Constitution mean what it says? (*"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."*

The court ruled in a 564 page decision. Can you rule in a single page?

Pausing for your deliberation

How did you rule? If you decided that the Constitution means what it says, then you are very capable of participating in a government of, by, and for the people. Are you starting to see that now?

How did the court rule?

The court began by saying that the case was not within its Constitutional jurisdiction, meaning the Scotts did not have standing, though it had already agreed to hear the case, so it already decided that in advance, but intended to hear the case anyhow in order to create new laws (precedent).

"But, in making this objection [of standing], we think the peculiar and limited jurisdiction of courts of the United States has not been adverted to (remarked upon by the Court that determines doctrine—i.e. creates law). This peculiar and limited jurisdiction has made it necessary, in these courts, to adopt different rules and principles of pleading, so far as jurisdiction is concerned, from those which regulate courts of common law in England and in the different States of the Union which have adopted the common law rules." (In other words, it must create an ex-post facto doctrine to change the rules to make them less fair.)

The Court looked at the meaning of the word “citizen” rather than the rights of citizens to be granted the same privileges and immunities in the several states. This is how the court uses the Words are Magic doctrine. It obfuscates the question before the Court. It picks out a word and expounds on it rather than the law in question.

This examination of the word “citizen” caused the Court to conclude that it must simultaneously issue a new doctrine to settle the matter. The “Citizenship Doctrine” came into being.

“The only matter in issue before the court, therefore, is, whether the descendants of such slaves, when they shall be emancipated, or who are born of parents who had become free before their birth, are citizens of a State in the sense in which the word "citizen" is used in the Constitution of the United States.”

Using the Words are Magic doctrine, it ruled that because no person of African descent is a citizen, no person of African descent has standing to appear before any American court.

As the Court is authorized to issue judgments in cases involving citizens of foreign nations, it simultaneously inferred that those of African descent are a nationless people. They aren’t citizens of the land of their ancestors and they aren’t American citizens. Thus they have no standing to sue as foreigners.

Not stopping there, the Court continued: “Those of African decent are an inferior people and were never intended to be allowed citizenship. If a state wants to grant citizenship to any group, then they are free to do so, but those of African decent may not travel into another state and expect to have any of the rights, immunities, or privileges of citizens of the United States. There are two kinds of citizenship.”

The court threw out Article IV that says, "*The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States*". It replaced it with: "Neither does [the Constitution] apply to a person who, being the citizen of a State, migrates to another State. For then he becomes subject to the laws of the State in which he lives, and he is no longer a citizen of the State from which he removed. And the State in which he resides may then, unquestionably, determine his status or condition, and place him among the class of persons who are not recognized as citizens, but belong to an inferior and subject race, and may deny him the privileges and immunities enjoyed by its citizens."

The court reaffirmed its "right" to declare the "true" meaning of the Constitution and its intents. There are special laws that deal with those of African Ancestry, and these laws are not to be confused with laws for white people or with Indians who have their own sets of laws.

It also decided that Article IV, Section 3 of the Constitution needed amending and it proceeded to do that:

Article IV, Section 3: "*The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."*

Replaced with: "A power, therefore, in the General Government to obtain and hold colonies and dependent territories over which they might legislate without restriction would be inconsistent with its own existence in its present form." (Present form meaning the form that the high court just gave it. The court specializes in covert lies.) Thus, those laws creating "free" territories are "void".

In its massive opinion, it states: "Upon these considerations, it is the opinion of the

court that the act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned is not warranted by the Constitution, and is therefore void, and that neither Dred Scott himself nor any of his family were made free by being carried into this territory, even if they had been carried there by the owner with the intention of becoming a permanent resident."

In so doing, the Court then found for the slave owner in all four of the cases before it, which means that the entire Scott family was condemned to slavery. The Court handed them over to their master. [16] It is unknown if Mrs. Scott was ever actually purchased.

The case ignited a firestorm in an already difficult time when it came to the idea of slavery. The Dred Scott case is an indirect cause of the Civil War. It is why the 14th amendment reaffirms that a citizen in one state is a citizen of the United States. It exposed the Court for what it was, but by then, no one knew what to do about it. The idea of judicial review was already an assumed part of the American way and no one remembered that we fought a war with England to get rid of it.

Judicial review is responsible for all of the political problems this country faces today. It turns us into enemies of one another. It gives us different laws for different groups of people, including different laws for different groups of corporate persons who have more rights than citizens, that the court calls "natural persons". It is the opposite of ethical.

[16] https://www.law.cornell.edu/supremecourt/text/60/393

Chapter 05
From Freedom to Fascism Drip by Drip

Fascism is an authoritarian or totalitarian nationalist political ideology. Fascists seek to organize a nation according to corporatist perspectives, values, and systems, including the political system and the economy. … The syncretic elements of Fascist ideology make it difficult to classify on a left-right spectrum. Fascists believe that a nation requires strong leadership, singular collective identity, and the will and ability to commit violence and wage war in order to keep the nation strong. The word has also become widely applied in ways that denote nearly any promotion of tyranny or unjust oppression. –

Wikiquotes – unattributed

Fascism is capitalism in decay

Vladimir Lenin

Fascism is a religion. The twentieth century will be known in history as the century of Fascism.

Benito Mussolini

Fascism is not defined by the number of its victims, but by the way it kills them.

Jean-Paul Sartre

Immediately after the Civil War, three amendments (13th, 14th, and 15th) were added to our Constitution. All were designed to protect the former slaves, granting them equality. Today we will look at the first part of the Fourteenth Amendment and how that mandate has been turned against all of us.

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

It took little time for the Fourteenth Amendment to stand for something other than what had been intended. Of the 14th Amendment cases brought before the Supreme Court between 1890 and 1910, 19 dealt with African Americans, 288 dealt with corporations demanding their new Constitutional right to equal treatment with natural persons. During this time, the high court officially sanctioned Jim Crowe laws that the 14th Amendment prohibits.

What is curious about what happened after the war, as it pertains to slavery and corporate Personhood, is a complete but subtle reversal of all that makes sense.

We began with slavery, the doctrine that a person can be property, and property has absolutely no rights. With the ratification of the 14th Amendment, the Supreme Court's reversal of intent took us to the point where a corporation is property; BUT, it is also a free, independent, and sovereign person, so it's rights cannot be infringed. Now non-human property is guaranteed Constitutional freedoms and protections that far exceed those of natural persons.

At this point, the cases are so numerous and so bizarre that detailing them here would be cumbersome upon the reader, so here is a timeline of only some of the landmark cases by the U. S. Supreme Court with overly brief explanations of what transpired.[17]

[17] "Timeline of Personhood Rights and Powers" by Jan Edwards et. al. Provided many of the names of cases given here. Content for all but First National Bank v. Bellotti and the International Dairy Foods

1868: PAUL V. VIRGINIA: Corporate Person Rights Affirmed: Court ruled that insurance products are not commercial products, thus cannot be regulated by Congress. (How nice for insurance companies.) Later overturned.

1870-1871 THE ENFORCEMENT ACTS: Three Congressional laws protecting blacks' right to vote, hold office, serve on juries, and receive equal protection under the law per the 14th Amendment. The Acts also authorized the federal government to intervene when States did not act. (COURT RULED UNCONSTITUTIONAL)

1875: US v CRUIKSHANK AND HODGES: ENFORCEMENT ACTS UNCONSTITUTIONAL. Court approved of whitecapping (KKK) after the Colfax Massacre[18]. Reaffirming Dred Scott, it voids part of the 14th Amendment: There are again two types of citizenship – US and State. The court goes on to say that the whitecappers did not violate US law, so the Acts are unconstitutional. The unlawful paramilitary that killed so many official policemen and state militia who happened to be blacks, (where no white was killed) were peaceably assembling. This is a right that the Constitution's First Amendment guarantees. The lethal use of guns and a canon (while peacefully protesting around a court house) is protected by the Second Amendment

1873: SLAUGHTERHOUSE CASES: A series of cases that were joined by the Court. It ruled in opposition to the new 14th Amendment* and Article IV**. Reaffirms again that there are two kinds of citizenship: US citizenship and State citizenship. The 14th Amendment pertains to US citizenship NOT State citizenship. This re-affirmance of the "Two Citizenships" doctrine gave indulgences to States and led directly to Jim Crowe.

*_All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein_

[18] Colfax Massacre: An Easter Sunday Massacre in Colfax, Louisiana where a group of white supremacists who were whitecapping, armed with rifles and a small cannon, overpowered Republican freedmen (blacks) and the state militia (largely black) defending the Grant Parish courthouse in Colfax. White militia and officeholders were not attacked. Most of the freedmen were killed after they surrendered; nearly 50 were killed later that night after being held as prisoners for several hours

they reside.

*** The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.*

1875: CIVIL RIGHTS ACT OF 1875 passed by Congress. Established that "all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude" 1883: CIVIL RIGHTS ACT OVERTURNED. States cannot tell businesses who they may serve because this is the same as telling people who they may serve. Businesses are persons.

1866: Virginia passed a law saying that an insurance company, not incorporated under the laws of the State, should not carry on its business within the state without previously obtaining a license for that purpose. OVERULED: PAUL v. STATE OF VIRGINIA: The Court ruled that States do not have the right to regulate corporate commerce within their own borders.*

(*Article I, Section 8, Clause 3: *Congress has the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes")*

GRANGER LAWS: With railroads becoming more powerful, they were forcing farmers out of business by charging higher rates for local use than for long distance use, and by charging high rates on grain storage. Several states, intent on helping their citizens, most of whom were farmers, passed laws regulating shipping and storage rates within their own State borders. (RULED UNCONSTITUTIONAL!)

1886: THE WABASH, ST. LOUIS, AND PACIFIC RAILWAY CO. V. ILLINOIS (Wabash Case): States do not have the right to regulate commerce within their

borders. The Court decreed the Illinois' granger laws UNCONSTITUTIONAL because they attempted to limit or control interstate commerce, which had been deemed a responsibility of the federal government--Gibbons v. Ogden (1824).

CALIFORNIA'S CONSTITUTION denied railroads the right to deduct the their debts from the taxable value of their property. It also included fences as improvement to real property, thus taxable at its improved value. COURT SAID NO: CHANGED THE SUBJECT TO CORPORATE PERSONHOOD!

1886 SANTA CLARA COUNTY V. SOUTHERN PACIFIC RAILROAD COMPANY: In violation of the Commerce Clause, States may not regulate commerce within their own borders. (Take this as a constant inclusion on all relevant cases to follow.) The Court announced, prior to hearing arguments, that, "The court does not wish to hear argument on the question whether the provision in the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. We are all of opinion that it does." Without expressing it in its written opinion, this forever reaffirmed the doctrine of corporate personhood.

IOWA LAW said that if a railroad does not fence its rails, and it results in death of livestock, that the railroad must pay restitution within 30 days of receipt of proof of value or pay double that amount in restitution. COURT: UNCONSTITUTIONAL: MINNEAPOLIS & ST. L. R. CO. v. BECKWITH (1889). Corporations have 14th Amendment constitutional protections that trump the States' rights to regulate its commerce. Corporations are persons. No law can apply to a corporation that does not apply to a natural person.

THE SHERMAN ANTITRUST ACT (1890) is an Act of Congress attempted to pull power back from the Robber Barons. The Act says, "Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be

illegal" It also said that every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony. DISREGARDED BY ALL BRANCHES OF GOVERNMENT, as proven by the existence of "Too big to fail" policies and globalist trade policies and all major television networks now being owned by six companies.

1893 NOBLE v. UNION RIVER LOGGING R CO. The first time that 5th Amendment protections are conferred on corporations..

1896 PLESSY V. FERGUSON: petitioner was a citizen of the US, "of mixed descent, in the proportion of seven-eighths Caucasian and one-eighth African blood; that the mixture of colored blood was not discernible in him, and that he was entitled to every recognition, right, privilege, and immunity secured to the citizens of the United States of the white race by its constitution and laws. Plessy paid for 1st-class passage on the East Louisiana Railway, from New Orleans to Covington, in the same state. Having bought his ticket, he took a seat in the white section but was required to move to the colored section. He refused. He was then forcibly removed and was arrested for violating the segregation/ apartheid law." The court affirmed segregation and affirmed that though inter-racial marriages lie outside of the "contract" clause of the Constitution—meaning that interracial marriages are not contracts like other marriages are, "yet have been universally recognized as within the police power of the state" (States may ban inter-racial marriages.)

1905: LOCHNER v. PEOPLE OF STATE OF NEW YORK: NY passed a law limiting hours one could require an employee baker to work (60 hours a week, or 10 hours a day, unless more hours in a day is subtracted from the last day). Lochner contested his bakery's second charged offense of forcing workers to work excess hours. The Court ruled that this charge constituted a violation of the

company's guaranteed 14th Amendment protections. It went further and invoked the "Words are Magic Doctrine" by saying that the word "required" had to be taken lightly, because the word might mean "volunteered". Denying a volunteer the right to enter into a contract with a company violated the company's 14th Amendment protections.

1906 HALE v. HENKEL: Court gives corporations Fourth Amendment Rights: "We are also of opinion that an order for the production of books and papers [of corporations] may constitute an unreasonable search and seizure within the 4th Amendment." Probable cause warrants are required for audits of a corporation.

1908: In a decision relating to the SHERMAN ANTITRUST ACT, The court gives international corporations 14th Amendment protections.

1919 SCHENCK V. US. : Freedom of speech doesn't necessarily apply to people. During World War I, Schenck mailed circulars to draftees. The circulars suggested that the draft was a terrible wrong motivated by the capitalist system. The circulars urged "Do not submit to intimidation" but advised petitioning Congress to repeal the Conscription Act. Schenck was charged with conspiracy to violate the Espionage Act by attempting to cause insubordination in the military and to obstruct recruitment. The court ruled: "Words which, ordinarily and in many places, would be within the freedom of speech protected by the First Amendment may become subject to prohibition when of such a nature and used in such circumstances as to create a clear and present danger that they will bring about the substantive evils which Congress has a right to prevent. i.e. Banks promoting war and corporations profiting from them have free speech; Educated pacifists don't.

1922 PENNSYLVANIA COAL CO. v. MAHON et al.: Laws regulating public safety

inspections are a violation of a corporation's Fourth amendment rights: "But obviously the implied[19] limitation must have its limits or the contract and due process clauses are gone." This decision is best understood by reading the dissenting opinions.

1922: BURNET, COMMISSIONER OF INTERNAL REVENUE, V. CORONADO OIL & GAS CO: Colorado was leasing its own land to the oil company in return for 50% of profits the first five years, then in a lease renewal, 12.5%of the profits. The State's income was used to pay for public schools. The oil company said it should be tax-free as well because the State's share of the profits (not the company's or the owner's) were going to a public good. Decision: "To tax the income of the lessee arising therefrom would amount to an imposition upon the lease itself"

DISSENT – meaning meaningless objection: Justice Brandeiss: "vast private incomes are being given immunity from state and federal taxation. …Recently, [the Court] overruled several leading cases, when it concluded that the states should not have been permitted to exercise powers of taxation which it had theretofore repeatedly sanctioned

1933 LOUIS K. LIGGETT CO. V. LEE: Florida passed a law that attempted to protect and encourage local small businesses. It established an extra tax on chain stores within the state. Decision: Corporations are as much entitled to the equal protection of the laws guaranteed by the Fourteenth Amendment, as are natural persons. (Corporations have standing in matters of taxation, but not people.)

1933 GROSJEAN V. AMERICAN PRESS CO.: Corporations have unique First Amendment Rights. Louisiana passed a 2% tax on advertising for media with a circulation of over 20,000. The Court ruled, "The validity of the act is assailed as violating the Federal Constitution in two particulars: (1) That it abridges the freedom of the press in contravention of the due process clause contained in

[19] According to the "Words are Magic" doctrine, implied means enumerated (Mc Culloch v. Maryland)

section 1 of the Fourteenth Amendment; (2) that it denies appellees the equal protection of the laws in contravention of the same amendment." Freedom of the Press is now related to money rather than lack of encumbrance with respect to access to information. The Court still allows censorship of the press through secrecy laws.

1935 NATIONAL LABOR RELATIONS ACT, a New Deal Act, legalizes collective bargaining, because failure to do so "tends to aggravate recurrent business depressions by depressing wage rates and the purchasing power of wage earners" COURT: OOPS—NOT SO FAST:" HAGUE V. COMMITTEE FOR INDUSTRIAL ORGANIZATION: NJ1939:	
NJ law banned union organizers from distributing literature or meeting notices. Prior to the suit, NJ was forcibly and violently removing union organizers because they were considered communist and a threat to the State. The Court upheld the rights of citizens not only to gather peaceably, but to educate fellow citizens about their rights.	Section 2 Article 1 of the 1935 Labor Relations Act reads: "The term person includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in cases under title 11 of the United States Code [bankruptcy laws], or receivers." The Court disagrees and rules that labor unions, even the incorporated one joined in the suit, are not persons like other corporations are. They are persons with no rights so they have no standing. When it comes to labor unions, the members must sue as individuals, and may not add their losses together to achieve standing. Corporate racism is born.

1954 BROWN V. BOARD OF EDUCATION:	
Separate is not equal. Blacks (finally) are entitled to 14th Amendment protections BUT ONLY IN EDUCATION. "in the field of public education, the doctrine of 'separate but equal' has no place"	Government has a vested interest in education because of commerce. The court did not extend equal protection to States' business-chartering laws (i.e. silently re-affirming Jim Crowe.)

1964 CIVIL RIGHTS ACT "To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes**. (PARTS RECENTLY OVERTURNED)**

1967: NORMAN SEE V. CITY OF SEATTLE: Corporations have 4th Amendment protections. Seattle had a fire inspection law for all commercial places for the purpose of public safety. The Court overthrew the law, requiring a subpoena [to corporations] upon probable cause, prior to such inspection. "We find strong support in these subpoena cases for our conclusion that warrants are a necessary and a tolerable limitation on the right to enter upon and inspect commercial premises." In other words, safety inspections meant to protect the public (people) can only be carried out if you have reasonable reason to believe that a violation of fire safety laws is already present, no matter how many natural persons might be harmed by fire code violations. Corporations' constitutional right to hide unlawful activity trumps public safety.

1970 ROSS ET AL., TRUSTEES v. BERNHARD ET AL.: Corporations are given Seventh Amendment protections. (Trial by Jury of a corporation.) In this case,

share-holders sued Lehman Bros. over losses resulting from illegal and excessive brokerage commissions paid to Lehman Bros. (How does a corporation face its accusers? After all, it is nothing more than a charter – a piece of paper with writing on it.)

1968 UNITED STATES V. O'BRIEN & 1976 BUCKLEY V. VALEO: Court ruled that campaign spending limits is a 1st Amendment violation of a means of communication, (Buckley/Valeo) but when an individual uses non-speech as a means of communication, (by burning a draft card to protest an unpopular war – O' Brien), it isn't communication. In the case of the natural person's 1st Amendment rights, government can regulate "non-speech."

1976 VA. PHARMACY BD. v. VA. CONSUMER COUNCIL: Commercial speech (advertising) is protected free speech (1st Amendment)

1978 FIRST NATIONAL BANK OF BOSTON v. BELLOTTI. Having earlier declared that corporations do not have to adhere to their charters (contracts) in order to protect the interests of minority shareholders, the same idea is applied for political advertisements. The Court reverses its longstanding policy of denying such rights to non-media business corporations. This precedent is used, with Buckley v. Valeo, to thwart attempts to remove corporate money from politics.

Dissent ". . . the special status of corporations has placed them in a position to control vast amounts of economic power which may, if not regulated, dominate not only our economy but the very heart of our democracy, the electoral process . . . The State need not allow its own creation to consume it."

1986 PACIFIC GAS & ELECTRIC CO. V. PUBLIC UTILITIES COMMISSION
Corporations have the right to freedom of conscience and the right to not-speak.

Dissent: "To ascribe to such entities an 'intellect' or 'mind' for freedom of conscience purposes, is to confuse metaphor with reality."

1996: INTERNATIONAL DAIRY FOODS ASSOCIATION V. AMESTOY. Vermont wanted dairy products produced by cows that were treated with synthetic hormones[20] to be labeled as such. The Court called it unconstitutional: "The wrong done by the labeling law to the dairy manufacturers' constitutional right not to speak (to not-speak) is a serious one that was not given proper weight by the district court", and "The right not to speak inheres in political and commercial speech alike" and that the law in question caused irreparable harm to businesses. After basing many cases on the right of corporations to speak in order to extend more information to buyers, it now exempts them from giving consumers information that natural persons demanded for health reasons. A corporation's health is deemed more important than the health of the infants and children's who consumed the milk and cheese. Furthermore, politicians have the 1st amendment right to not-speak about things that may cause them political harm.

2000 BUSH V GORE. The Court did not address the issue of standing as it generally requires according to its doctrine. The case referred to a presidential election in Florida that was so close that a recount was ordered. When the recount showed the win might switch to Gore, Bush sued. The majority Republican court issued an immediate mandatory injunction saying that votes should not be counted as it waited to hear the case and then deliberate. When it finally made its decision days later, it also decided for no reason other than it wanted to, that there was not enough time to count all the votes, so no more votes could be counted. In this way, the Court gave the presidency to the one who had the least votes, and denied the voters the right to have their votes counted.

[20] The synthethic hormones in dairy products are synthetic estrogen and antibiotics injected into cows every other week. The USDA strongly contends that there is no SIGNIFICANT difference between the milk from treated cows and non-treated cows, but much of the industrialized world disagrees. Canada, Australia, New Zealand, Japan and the entire EU have banned its use because of concerns about animal health (cancer, udder infections, split hooves-animal cruelty, etc.) as well as unanswered questions about human impacts." In part from: http://www.rurdev.usda.gov/rbs/pub/nov06/dairy.htm. Synthetic growth hormones are a different treatment and are not part of this decision.

Citizens United: A heinous corporate personhood ruling that will be looked at later in this chapter.

Hobby Lobby: The topic of the next chapter and another bizarre ruling about Corporate personhood. The Court ruled that corporations (pieces of paper with writing on them) have the ability to reason, have a conscience, and have religious beliefs.

OBERGEFELL ET AL. V. HODGES, DIRECTOR, OHIO DEPARTMENT OF HEALTH, ET AL.	
Same gender marriages are legal.	The court does not address or even attempt to answer the cases argued before it: Does one State have the right to refuse to accept (marriage, divorce, birth, death, adoption, etc.) records of another state as required in Article IV of the Constitution, leaving the question open in its mind. Is the 14th Amendment affirmed? As in Brown v. Board of Education, where blacks were granted equal access to education but nothing else, here homosexuals are granted the right to marry and nothing else. It paves the way for the return of Jim Crowe type laws because many states do not grant equal rights protections for all, as required by the 14th Amendment and Article IV. Homosexuals and the question of a woman's right to own her own body (her property) is not yet affirmed. Corporations have the right to own their own property, but humans do not. That was lost long ago.

After this exhaustive though overly-brief preface to today's question, we are ready to discuss the case commonly referred to as "Citizens United".

The case is grounded in the "2002 Bipartisan Campaign Reform Act" (commonly known as the McCain–Feingold)[21]. This amendment to the Federal Election Campaign Act of 1971 attempted (allegedly) to reduce corruption AND the appearance of corruption.

There had been both real and perceived exchange of legislative votes for campaign contributions of both soft and hard money[22], and an awareness that wealthy political benefactors had become so powerful that they were actually writing legislation that favored themselves. Congress changed the rules. (Not the one where lobbyists draft legislation that favors their employers.) It raised the limits on how much can be given in a campaign, be it from an individual, a corporation, whether for-profit or non-profit, and other associations such as labor unions. It also placed a limit around when corporations could broadcast a "communication" respecting a specific candidate within 30 days of a primary election and 60 days of a general election.

Citizens United is a non-profit organization that exists to promote both social and fiscal conservative values. It produces what it calls "Documentaries" that further its political interests. It considers these movies to be educational, thus qualifying it for tax-free, non-profit status that encourages tax-deductible contributions.

Citizens United produced a documentary called "Hillary The Movie" (now viewable on YouTube) at a time when then-Senator Hillary Clinton was running

[21] This is a poorly crafted law that amendments the 1971 Federal Election Commission Act. Rather than update the prior law, it simply tells readers to update their copies themselves. This is the type of legislation that Jack Abramoff said is good for getting legislatures to pass laws without reading them because they are too complex to read otherwise. One has to wonder if this was written this way so that it would be guaranteed to be challenged by the Court.

[22] Hard money = cash. Soft money = donation of goods and services, such as free use of corporate jets and other services.

for president for the first time. The movie was openly critical of both her and her husband. According to the lower courts, it wasn't educational.

Citizens United planned on advertising the movie using televised trailers and it planned on releasing the movie on Pay Per View immediately before the election. It asked the Federal Elections Commission (FEC) if it was allowable under the law.

Citizens United maintained that it wasn't advertising against Mrs. Clinton per se, which would have been prohibited. It claimed that it was advertising the rental of a movie, a commercial product like any other commercial product, and that the movie just happened to show Mrs. Clinton in her true light. This, plus the 1st Amendments guarantee of Free Speech, Citizens United believed, exempted it from the law that prohibited "publicly distributed" election communications immediately before an election. The FEC (Federal Elections Commission) disagreed and the case made it to the high court.

This case reached the high court twice. When the decision the court wanted to issue wasn't possible based on the case before it, (that it said had no merit) it simultaneously said that it couldn't reach a sufficiently narrow decision. (This is a lie because it already had when it said the case had no merit. What it wanted to do was EXPAND corporate rights not yet granted by judicial doctrine.)

The Court asked the parties to return to re-litigate two other already decided decisions: Austin v. Michigan Chamber of Commerce (1990) and McConnell v. Federal Election Commission (2003). In doing this, it asked Citizens United to defend cases of which it was not a part, and which had absolutely no bearing on whether a movie could be rented before an election. This requirement should have automatically denied them standing in court according to the Court's own "Standing Doctrine".

In addition to thinking that this might be a monologue by a late night television host on Comedy Central, because such things could never happen in the United States, one would also have to realize that this course of action actually dissolved the issue of "standing" that the Court defends so aggressively and says is essential. But as you have seen, the Court can do whatever it wants. It is above the law. It makes the law. It says what the law is. (Marbury v. Madison) It gave itself an indulgence, which it does rather frequently.

In the case of Austin v. Michigan Chamber of Commerce, the 1990 Court held that the Michigan Campaign Finance Act, which prohibited corporations from making independent expenditures to support or oppose candidates in elections was Constitutional. The 1990 Court upheld the restriction on corporate speech saying that Corporate wealth can unfairly influence elections.

In the 2003 McConnell v. Federal Election Commission case, the Court upheld the constitutionality of most of the Bipartisan Campaign Reform Act of 2002

Because the Court changed the case that was before it in order to overrule its own rulings of only a few years earlier, the rules of this game will also change ex post facto. In this instance, you will be given the Court's decision before you decide on your own. This will give you the opportunity to see that justices decide a case in advance, then write opinion that supports their pre-decided conclusions.

Here are excerpts from the Court's decision[23]:

1) …"Because Citizen United's narrower arguments are not sustainable, this Court must, in an exercise of its judicial responsibility, consider §441b's [of the election law] facial validity." (Meaning: Because Citizens United was too narrow when the court said that it had to narrow it further – meaning it lied – the court

[23] Downloadable from the GPO (Government Printing Office).

must then invent a case to arrive at the broader conclusion that it already knew it wanted to arrive at.)

2. "Austin is overruled[24], and thus provides no basis for allowing the Government to limit corporate independent expenditures. Hence, §441b's restrictions on such expenditures are invalid and cannot be applied to Hillary. Given this conclusion, the part of McConnell that upheld BCRA §203's extension of §441b's restrictions on independent corporate expenditures is also overruled.".

(a) "Although the First Amendment provides that "Congress shall make no law . . . abridging the freedom of speech," §441b's prohibition on corporate independent expenditures is an outright ban on speech, backed by criminal sanctions. It is a ban notwithstanding the fact that a PAC created by a corporation can still speak, for a PAC is a separate association from the corporation".

Is buying access, which is what a campaign contributions in any of their forms is, a form of bribery? The court says that it is not. Agreeing with all of the legislators who have publicly said that campaign contributions buy access to candidates and elected representatives, and some who say that it is legalized bribery, the Court said, "this Court now concludes that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption. (Did they just throw in the Words are Magic Doctrine again, or is it more like a "Reality is Magic" doctrine, or a "The People are Stupid" doctrine?) That speakers may have influence over or access to elected officials does not mean that those officials are corrupt. And the appearance of influence or access will not cause the electorate to lose faith in this democracy. (Yup. Words are magic, people are stupid, reality is whatever the court stipulates, and fascism is now called democracy.) In a very recent decision about a Virginia governor found guilty of bribery – with an abundant amount of proof, the court overturned the conviction, thus legalizing bribery.

Citizens United is the decision where the Court increased the attack on voters it began in Bush v. Gore. Now Super PACS exists, where the PACs are not required to divulge names of contributors. Because of Citizens United, Super PACs qualify for non-profit status, meaning that they pay no taxes and their unlimited contributions can remain anonymous and tax deductible. Now corporations from any country, even our enemies, can secretly fund Super PACs, and these super persons are deserving of all of the Constitutional protections we used to have. This means that a one-party controlled government masquerading as two parties can borrow billions to give to foreign nations that can secretly use all or part of that money to influence our elections in favor of their preferred candidates because Super PACs cannot be forced to divulge their contributors' names. It puts tremendous power in the hands of the ruling party and reduces an American citizen from being one of 330 million people, to potentially one of 7.5 billion people. In dealing with that issue, the Court said:

"(4) Because §441b is not limited to corporations or associations created in foreign countries or funded predominately by foreign shareholders, it would be overbroad even if the Court were to recognize a compelling governmental interest in limiting foreign influence over the Nation's political process."

Then, as it knew it would before the Court had Citizens United return to argue for two other cases, of which they were not a part, so it could reverse its own recent judgements to attack natural citizens, it repeated its objection to Citizens United original arguments. It upheld the FEC restrictions imposed on the movie "Hillary a Movie".[25] Citizens United's case had no merit. It could not air its movie in that time frame. Apparently, it wasn't wealthy or powerful enough.

[25] The Court said, "Citizens United argues that Hillary is just 'a documentary film that examines certain historical event'. We disagree" and "The narrative may contain more suggestions and arguments than facts, but there is little doubt that the thesis of the film is that she is unfit for the Presidency."

The only difference between a dictator and our Supreme Court is that our Supreme Court has to have a case before it in order to issue a decree. If it wants to render a decision, it can now require other non-related parties to re-litigate unaffiliated cases so that it can decree what it advertised it wanted to decree before requiring re-litigation. A typical dictator doesn't need a case before it. Dictators just issue decrees.

The American Emperor is wearing no clothes!

If you were to read a single Supreme Court decision, you would be thwarted from understanding what the court is doing at every point. A given decision can contain fifty or a hundred or more precedents (cases that came before it) that each refer to as many other cases that contain precedents, that also refer to other cases' precedents, meaning that citizens interested in knowing what is going on might have to familiarize themselves with as many as a thousand unintelligible cases before it understood what is going on in any single case. (That's a bit presumptuous. You are figuring out what is going on aren't you?)

As common law is about "implied" laws, that are never written and not accessible to mere mortals, no citizen can know in advance what the law is going to be on any given day. It's all made up on the fly as ex-post facto doctrine. **ALL SUPREME COURT DECISIONS ARE EX-POST FACTO LAWS.**

Here is where we must take a step back and consider how unworkable the whole thing has become. By granting all branches of government indulgences (immunities from honoring the Constitution that was the "Law of the land"), and denying you your freedoms that were once guaranteed you by the Constitution, and by placing the Court and even lower courts as well as corporations above the federal and state legislatures, we have exactly what an earlier anti-Constitution Court said would happen if the justices didn't throw out the Constitutional form of government and replace it with a common law government. We will have an

unintelligible body of law that is too vast for the citizenry to comprehend. (McCulloch v. Maryland – which will be looked at separately)

Today, because of all of the unconstitutional laws taking away our rights and freedoms, States' rights and freedoms, and increasing the federal government's powers, corporate rights, freedoms and powers, other nation's rights and freedoms, other nations' corporations rights and freedoms, our own corporations, and super corporations' rights and freedoms, you are hereby granted an indulgence from ruling on the case. It would be demeaning to you to suggest that you don't know that corporations are nothing more than pieces of paper with writing on them.

If the Court were to start rendering constitutional verdicts, it would necessarily bring down the government of the United States and bring us to violent chaotic anarchy. This book offers a very different solution where the route to a peaceful reclamation of our rights is made clear. We can't bring down the government yet. There is still too much to learn.

Before we leave this chapter, take a minute to notice the types of persons and contracts that have been declared extant so far in this judicial review of the judiciary.

As to people, there are inferior persons (Indians), stateless non-citizen persons (those of African descent), natural persons (white people), corporate non-persons, (labor unions) corporate persons (corporations), super corporate persons (PACs), super duper persons (Super PACs), and as you will see in the next chapter, there are also supernatural persons (a blending of a corporate person and a natural person). By now, all corporate persons except the corporate non-persons (labor unions) have more freedoms than natural persons have.

Then there are the contracts. There are contracts that must always be upheld (in the case of wealthy white men), contracts that must never be upheld (as in the

cases of labor unions), contracts where it doesn't matter whether or not charters are honored because no rule of law can require it (Indian treaties and charters), and contracts that the Supreme Court has already dismissed outright, as it did to our own "Constitution of the United States of America" that is a contract (treaty) among the States and "We, the people".

Not only was the first complaint against Britain given for our dissolution of that union being that of judicial review ("Refusing Assent to Laws, the most wholesome and necessary for the public good"), but the second, ("He has forbidden his Governors to pass Laws of immediate and pressing importance" and yet another, "…and declaring themselves invested with power to legislate for us in all cases whatsoever".

Today, there are so many doctrines and exceptions to doctrines and exceptions to exceptions to doctrines, etc. almost ad infinitum, the only way the court can issue a decision is to decide in advance what it wants done, then search for <u>its own</u> precedents that support its desire. While doing that, if they spot a piece of our Constitution still intact, or they see a threat looming on the horizon, they change the subject (most often using the "Words are Magic Doctrine") to declare new doctrine that nips it in the bud.

If none of the above makes sense to you, then you are more capable of participating in a government of, by, and for the people than the people who <u>profess</u> to represent YOU in THEIR government. Any literate thirteen-year-old is as well.

Chapter 6
The Unamendment Amendment:
The story of Dillon v. Gloss, Coleman v. Miller, and the 27th Amendment

Amendment: noun :
a change in the words or meaning
of a law or document (such as a constitution).
Miriam Webster Dictionary on-line

Since the Citizens United decision, many are saying that we need a constitutional amendment to limit the influence of money in elections. That won't work. The Court is above the Constitution. It can void any part of any amendment, and has given extraordinary power to Congress to void certain amendments.

This chapter tells an interesting story of the court giving Congress the right to void an amendment even before the amendment was ratified, and a story of how easy it is for the justice system to render the people's constitutionally ratified amendments null and void. It is also the reason why passing a constitutional amendment in attempts to fix what is wrong is guaranteed to fail to fix anything.

The story begins in the first session of congress, when Congress sent the "Bill of Rights" to the states for ratification. You may recall that there were originally twelve amendments, but only ten were ratified.

Our 27th Amendment was initially part of the Bill of rights but it hadn't been ratified, lacking a sufficient number of states agreeing to it. Until the 1980s, the amendment was still out there somewhere, in hibernation. If enough States wanted to take up the proposed amendment and ratify it, they could, for as long as the Constitution is the law of the land.

The proposed amendment did come up from time to time; for example during outrage over The Salary Grab Act in 1873.

In 1873, there was a financial crash and a grave depression followed. Banks started failing. This was caused by one man trying to corner the gold market during a time of global fiscal instability. In many ways, it was worse than the Great Depression. There were no social safety nets, so people suffered more. When banks failed, people lost their money because this was before deposits were federally insured. So if your bank failed, you lost your money and had nothing with which to buy food, let alone pay the rent at a time when most did not actually own their homes.

Until that financial panic, the States operated as independent nations within the government—so far as the courts would allow. Because of that court involvement turning corporations into persons, when the railroads and big trusts came, things had become so intertwined and complex that when banks failed in Chicago, people in Memphis, Boston, or San Francisco felt the effects.

To compensate themselves for all the money lost in the bank failures, in December of that year, on the last day of the congressional calendar (before the second-term inauguration of President Grant), Congress gave themselves pay raises. It doubled the pay of the president and gave other raises to the Supreme Court, important officers, and themselves. To themselves they gave 50% pay raises, but they weren't just any old pay raises. They were to be retroactive to the beginning of the two-year session. As many in the congress were leaving office at the end of the day that they approved their pay raise, they would be leaving with very nice bonuses that paid them back for, at the very least, some of their losses caused by the crash.

Two years of 50% retroactive pay infuriated people around the country. In response to the outrage, Ohio found the long dormant amendment and ratified it,

being the seventh state to do so. This was 84 years after Maryland, the first state to do so, ratified. It went dormant again when, in response to public protest, Congress repealed its own raises.

In March of 1982, Greg Watson was browsing through the library looking for a good subject for a term paper on government. He learned about the unratified Congressional Compensation Amendment and immediately recognized its importance. With a little digging, he found that seven states had already ratified it. He would later discover that an eighth had also ratified it. He decided to take on the project of ratification of that amendment as a personal hobby. It became his passion.

During the 80s, the Reagan years, as State legislatures passed pay raises for themselves to keep up with intentionally created inflation by Congress, public outcry over the raises reached a fevered pitch. Because of Watson's reminders, State legislatures began to look into the hibernating amendment, perchance as a symbolic gesture to deflect the anger being aimed at them.

With money flowing so freely out of Washington, corruption and scandals seemed everywhere, so it was an easy enough thing to do. The Reagan Administration was the most scandal-ridden presidency of any administration.

As the Reagan years unfolded, and scandal after scandal was exposed in the news, anger at government grew. Watson began speaking to the choir. Ratification of the amendment grew in popularity.

Article V of the Constitution is the part that explains how to amend the Constitution. It reads:

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for

proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress;"

As the proposed 27th Amendment certainly met this criterion, he became fully engaged. His first success at getting his Amendment ratified happened in Maine, which will become important as this story unfolds.

Congress was not going to be outsmarted. Democrats gained control of congress after the Reagan years, claiming that there was too much corruption in government. Neglecting to mention that they were fully aware that the proposed amendment was getting too close to ratification (32 of the required 38 states had already ratified), Congress passed the "Ethics Reform Act of 1989".

Given its name, it sounds like it was meant to improve the ethics of the government, but much of it did the opposite. Congress gave itself and the justices massive pay raises. They also gave themselves annual cost of living increases to begin several years later. They also granted the president the right to give them raises every four years, which is unconstitutional if the Constitution is the law of the land.

As Congress watched the amendment's progress make its way through the states, they grew nervous.

Before the day when the Internet was universally accessible, we relied on the media to explain what was going on, but we were never fairly informed. We didn't have easy access to the legislation to see if The Ethics Reform Act of 1989 was really reforming ethics. Now that it is available on line, it is possible to see that it was more like a confused ethical deformation than a reformation, though it did some good.

It imposed a one year waiting period before a legislator, President, or Vice President leaving office could attempt to influence government. These people can still work for lobbying firms, but they may not directly lobby. They can give lobbyist instructions though, and even make introductions.

It changed the limits on gifts that could be received from lobbyists. This became necessary because of the public's outrage over things like free golfing trips to Scotland, skiing trips to Switzerland, vacations to Hawaii, and other implicit bribes from special interest groups. It limited gifts that congressional representatives can personally receive. Now if government officials want a free vacation in Hawaii, they must find a way to qualify for it, which is easy enough given the wording of the act. Because of a strange loophole in the law, if they want a free meal with lobbyists after work, it must be eaten standing up, which is how lobbyist-hosted free cocktail parties with hors d'oeuvres are conducted in order to get around the law.

Even more important, it changed how mandatory financial reporting is to be done. This made it much easier to hide members' unethical financial dealings from the public. Specific information no longer applies. It would no longer be easy to recognize how insider trading is common as our representatives invest in things like stocks or real estate based on what they know is going to happen in the laws before the general public knows[26]. One would have to be either an insider or part of the NSA to know actual financial dealings.

The Act also made it illegal for the public to request financial information of our elected representatives for publication in a commercial entity, such as a for-profit web site or a book, except a newspaper, and except when the president decides that the release of such information about our elected officials would endanger the security of the USA. This first amendment invasion into Freedom of the Press wasn't part of what the media told us.

[26] As Jack Abramoff detailed in his book, "Capitol Punishment".

It stopped all government workers except Senators from accepting honoraria for speeches and published articles. This was loudly touted as a wonderful thing because the idea of a representative accepting payment for talking with the people he represented seemed reprehensible. Never mentioned: the idea that paid speeches to banks and corporations could be bribes. But as we were told this, we were not told that Senators were excluded from the prohibition.

And now that we know that the Ethics Reform Act was a cover for covering congress' corruption while intending to prevent an upcoming amendment from interfering with their plans to have regular raises even if the amendment passed, it is time to look at an old 1921 Supreme Court decision called Dillon v. Gloss. As the 27th Amendment came closer to ratification, Congress most certainly had looked at it. It's time to tell that story.

Dillon had been arrested under the new prohibition amendment. He claimed that it wasn't yet in effect at the time of his alleged crime because Congress hadn't yet recorded it in the official record. He was put in jail and denied his constitutional right to habeas corpus. He sued.

Basing the suit on Article I, Section IX of the constitution that reads, "*The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion, the public Safety may require it*", the case made it to the Supreme Court. No rebellion or invasion was occurring, so he should have been given his Constitutional right of Habeas Corpus (appear before a judge). Supporting his simultaneous claim of innocence of the charge against him using his understanding that the original date of ratification of the amendment was the date that Congress entered it into the record, as had always been the case, he faced the mighty justices.

Totally ignoring his habeas corpus plea that brought him to the Supreme Court in the first place, the court still had a lot to say.

Mr. Dillon claimed that he had committed the act for which he was arrested before the date that the Amendment took effect. This, he said, means that he had not committed a crime.

The court strangely and uncharistically affirmed the wording of Article V of the Constitution that says that an amendment is part of the Constitution "*when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof".* The date that the Congress accepted ratification did not apply, therefore, Mr. Dillon committed his crime on the first day of prohibition and not the days before it.

Then the Court did something strange. It reversed itself as it pertains to a possible future constitutional amendment. It started a long-winded discourse about matters that were not even before the Court, as if anticipating what was to come.

It mysteriously decreed that if there were ever an amendment that took many years to be ratified, and if there was no ratification date stipulated, that it should be up to Congress to determine if the **morality** on the date of issuance of the amendment, is consistent with the **morality** of the date of ratification. That means that an amendment is not necessarily part of the Constitution until Congress agrees that it is, no matter how many States ratify it. The Court decreed that if the two moralities are inconsistent, Congress has a responsibility to nullify the amendment. The Court also made it clear that it would step in and defend Congress should such a situation ever occur.

Eighteen years later, in 1939, another case (Coleman v. Miller) came before the court that strengthened the jurists' resolve. In 1925, the State of Kansas rejected a proposed state constitutional amendment that would have granted its congress the right to regulate the employment of those under the age of 18. No date stipulated the amount of time required to be ratified, as Congress had already

been doing in various other proposed amendments. From this, one can assume that the omission of a stipulated time frame was intentional, meaning that the State could take as long as it wanted to decide on this then-controversial idea. Then, in 1937 (12 years later), during the New Deal, Kansas changed its mind and ratified the amendment. Those opposing the measure sued to have the later ratification repealed because the non-ratification occurred twelve years earlier.

The high court ruled that the ratification was legal according to State laws. Then, as it did in the Dillon case, it strangely reversed itself again in the same decision as it pertains to any future undated amendment that might come before the federal congress. Giving the Congress immunity from its current decision, it issued a new doctrine called the "Political Question Doctrine". That doctrine states that if a proposed amendment does not have a stated time in which it must be passed, ratification of a new amendment becomes purely a political matter for Congress to decide upon. It is not a Constitutional matter, and not a matter for courts or the people to consider.

Meanwhile, jumping forward to the 1980s, in an atmosphere of prodigious spending and ever-present corruption, and where the national debt had made its way well into the trillions of dollars for the first time in American history, our young college student, now long out of college and still as committed as ever, was gaining a reputation. Powerful voices began adding their voices to his. With growing anger over the corruption being paid for with the immense pay raises, more and more states were ratifying. The proposed amendment read:

"*No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened"*

As Watson's campaign wore on, what seemed like a new set of never-ending scandals were unfolding. It was widely reported that Congressmen were intentionally creating overdrafts in their checking accounts at the Congressional

Credit Union. There were no penalties on their overdrafts as there are on ours, and the credit union didn't refuse to honor the checks as our banks and credit unions do. This meant that Congress was using the congressional bank to take out taxpayer-funded interest-free loans. Around the same time, it was disclosed that members of Congress were not paying for meals in the Congressional cafeteria, thus eating on the tax payers' dime.

It is no wonder that the Amendment was ratified. People were angry and had been for many years.

When Michigan ratified, the Archivist of the United States was obligated by a congressional law to certify it.

Upon the announcement of its ratification and certification, a firestorm of outrage spread throughout the entire Congress. Many condemned the archivist for certifying it without first asking Congress, claiming that Congress must approve any amendment before it becomes law.

Democrat George Mitchell, the Senate Majority leader from Maine, whose state had been the first to ratify after Watson's campaign, led the call for repeal of the amendment. Others agreed. Because of tantrums on the floors of Congress, the public was paying close attention to the drama that played out on our television screens.

Frenzied debates were then moved behind closed doors, outside of the reach of cameras. This was a crisis. Congress certainly didn't dare refuse to accept the new amendment; yet they couldn't allow it to be honored. There had to be a way around it. Both parties were already scandal ridden. If they rejected the amendment, there would be heavy political consequences for anyone who tried to void it.

Finally, the Senate Majority leader, George Mitchell, found the answer. He reasoned that because of high inflation (that Congress was intentionally causing with its excess borrowing that was done to decrease the relative value of the national debt), the actual spendable value of his paycheck was steadily decreasing. Inflation is causing a variance in compensation, he gleefully announced. Therefore, if Congress didn't get its yearly pay raises, Congress would be in violation of the 27th amendment that prohibited variances in pay. (Left unsaid: Raises would have to be daily to prevent violations when viewed in that context.)

It was a done deal. The 27th Amendment was in place and no one had to honor it. Everyone could have their cakes and eat them too!

Thus it is that congress ignores the 27th Amendment at its pleasure, assured that if it should ever rise to the level of a Supreme Court, their backs are covered.

But now it can't ever come before the high court. There was some aftermath.

The ACLU sued on behalf of the American people. They were called miscreants and troublemakers for wanting Congress to be held hostage by the American people, forcing it to prostrate itself before the people every time it wanted a raise. The ACLU did not appeal.

Two other groups also sued. The names of these cases are Boehner et. al. v. Anderson, and Shaffer v. Clinton.

Conflating the last two cases, the cases were denied because:

1) Citizens have no standing to appeal because no Supreme Court decision yet exists that gives them the authority to sue in such matters. (Left unsaid: They weren't going to issue such a decision at that time.)

2) Taxpayers have no standing to appeal because the pay raises, that we paid for, are paid by virtue of the "Ascertainment Clause"[27], not the "Establishment Clause". Furthermore, following the "If Most are Harmed, No One is Sufficiently Harmed" doctrine, no one was sufficiently harmed. Therefore, the people have no standing to sue.

3) In the Boehner case, Rep. John Boehner and 27 other Members of Congress filed suit. The Court ruled that elected representatives have no standing because they received raises. A raise doesn't harm—it benefits. So the court, that received enormous benefit from their own pay raises in the same law, announced that it was a raise in pay, but it didn't matter because the Court also announced that a COLA (Cost of Living Adjustment) is not a pay raise like a raise in pay is. It is/it isn't – in the same decision. This is another case of using the "Words are Magic" doctrine. You will see that one come up time and again.

Every time you lose any portion of freedom, as you did here, that freedom is transformed into a power that is transferred to your government. It leaves you powerless and dependent, which is not what freedom is. The courts, zealously protected by the other two branches of government, have been slowly bleeding you of your freedoms for nearly two-hundred years.

The early anti-federalists, our true founding fathers who were supporters of a Constitutional Republic and very much against judicial review, were surely correct in their assessment of judicial review that we fought the Revolutionary War to escape. Thomas Jefferson famously said:

"To consider the judges as the ultimate arbiters of all constitutional questions [is] a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy."

27 Also known as the compensation clause – Article I Section 6

One of the appeals courts decided as Congress expected it to when it passed the "Ethics Reform Act" in anticipation of the 27th Amendment. It said that because the amendment was ratified AFTER the Ethics Reform Act of 1989, the amendment is not valid but the Ethics Reform Act is. Yup, that's the kind of people that are running our government.

Though the Supreme Court never heard the case, and it is unlikely that it ever will, we can still play the game. Here are your questions:

1) Does an amendment to the Constitution amend the Constitution?
2) Is a pay raise different from a raise in pay different from a cost of living adjustment in pay that raises the pay?

Pausing for your deliberation

If you decided that a Constitutional amendment amends the Constitution, good for you. If you decided that a raise in pay is the same thing as a pay raise, good for you. You have demonstrated that you are more honest and more competent than those who run their government of, by, and for themselves.

Chapter 7

Hobby Lobby, Corporate Racism, and the Demotion of Women

As well as an introduction to Chapter 8

The world is still deceiv'd with ornament,
In law, what plea so tainted and corrupt,
But, being season'd with a gracious voice,
Obscures the show of evil?
William Shakespeare, The Merchant of Venice

Hobby Lobby is a large chain store that sells craft items, most of which are made in China. China is a country that requires women to have abortions against their wills. It also embraces neo-slavery and inhumane working conditions. Raw materials imported into China to be made into other products also often come with barbaric human rights abuses attached. (child sex-trafficking, slavery, torture, rape, inhumane working conditions, and other gross violations against human rights.) Because Hobby Lobby is so entrenched in China, it pays taxes to China, whether directly or indirectly, thus Hobby Lobby has no problem paying for forced abortions, birth control, neo slavery, and various barbaric human rights abuses.

In spite of this, and taking advantage of the now-legal right to not-speak about things that might harm its business, Hobby Lobby markets itself to the Christian community. It plays Christian music in the background in its stores, and the owners claim to be Christians.

To be fair, David Green, the founder and self-made billionaire, is the son of an Assemblies of God preacher and he comes from a family of preachers. Green claims to have built his business squarely on biblical principles, saying, *"We're Christians, and we run our business on Christian principles"*, which obviously

can't be the case if he has most of his products made in a country like China from raw materials brought to it with their own human rights abuses attached. But United States law specifically and openly allows hypocrisy as part of a religious belief (unless you are a natural person whose religious beliefs include pacifism).

Still, he and his family are supporters of Christian ministries and have funneled hundreds of millions of dollars to churches, religious organizations, and other religious projects that meet his rigorous religio-political beliefs.

In the Affordable Care Act (ACA)/Obamacare, which is at the heart of the case, the (unconstitutional) Department of Health and Human Services (HHS), required exempt employers' group health plans to furnish preventive care and screenings for women without any cost sharing requirements.

Nonexempt employers are required to provide coverage for the 20 contraceptive methods approved by the (unconstitutional) Food and Drug Administration (FDA), including the four that may have the effect of preventing an already fertilized egg from thriving or attaching to the uterus.

Religious employers, such as churches, have been granted (unconstitutional) indulgences, making them exempt from this contraceptive mandate. HHS has also issued indulgences to religious nonprofit organizations with religious objections to providing coverage for certain contraceptive services. Under this accommodation, the insurance issuer must exclude contraceptive coverage from the employer's plan costs and provide plan participants with separate payments for contraceptive services, WITHOUT imposing any cost-sharing requirements on the employer, its insurance plan, or its employee beneficiaries. This means that for religious organizations only, the cost of contraceptive insurance is passed onto the insurance company, saving the employer a lot of money.

The (unconstitutional and not constitutionally necessary) Religious Freedom Restoration Act of 1993 (RFRA) says that government cannot substantially

burden a person's exercise of religion even if the burden results from a rule of general applicability unless the government demonstrates that application of the burden to the person—(1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest. RFRA covers "any exercise of religion, whether or not compelled by, or central to, a system of religious belief", the loophole that encourages and legalizes hypocrisy and lawlessness.

Hobby Lobby had always offered full benefits for its employees. It offered 401k retirement plans and maintained a matching funds program.

Mother Jones reported in its April 2014 edition, that: "Documents filed with the Department of Labor and dated December 2012—three months after the company's owners filed their lawsuit—show that the Hobby Lobby 401(k) employee retirement plan held more than $73 million in mutual funds with investments in companies that produce emergency contraceptive pills, intrauterine devices, and drugs commonly used in abortions. Hobby Lobby makes large matching contributions to this company-sponsored 401(k) so it is funding these contraceptives.

"In a brief filed with the Supreme Court, the Greens object to covering Plan B, Ella, and IUDs because they claim that these products can prevent a fertilized egg from implanting in a woman's uterus—a process the Greens consider abortion."

"... A website Hobby Lobby set up to answer questions about the Supreme Court case states that its 401(k) plan comes with "a generous company match." In 2012, Hobby Lobby contributed $3.8 million to its employee savings plans, which had 13,400 employee participants at the beginning of that year.

"The information on Hobby Lobby's 401(k) investments is included in the company's 2013 annual disclosure to the Department of Labor. The records contain a list, dated December 31, 2012, of 24 funds that were included in its

employer-sponsored retirement plan. MorningStar, an investment research firm, provided Mother Jones with the names of the companies in nine of those funds as of December 31, 2012.

“All nine funds—which have assets of $73 million, or three-quarters of the Hobby Lobby retirement plan's total assets—contained holdings that clashed with the Greens' stated religious principles.”

When the Affordable Care Act (ACA) was signed into law, with Congress issuing indulgences for churches, and eventually religious organizations, Hobby Lobby immediately changed its insurance plan, removing all contraceptive coverage that it had always covered, not having any moral objection to them in the past but suddenly changing its mind, in spite of the 401k investments that counter that sentiment. It then sued under The Religious Freedom Restoration Act of 1993 for its right to have an exemption. Hobby Lobby argued that the ACA substantially burdened its exercise of religion by forcing it, a company, to pay for birth control that is against its shareholders’ religion.

At the time the case arrived at the Supreme Court, Hobby Lobby had a choice. Having backed down on all but what it deemed abortive contraceptives, it could refuse to offer its employees health insurance coverage and instead pay employees to buy insurance under the ACA, or it could pay a tax that would offset the tax-payer’s expense in providing subsidies for necessary insurance for those who qualify based on need. Hobby Lobby objected and said that the alternatives are too burdensome. It wanted the same indulgence that religious organizations have.

So, the questions at hand are:

Is the RFRA a law respecting establishments of religion, in violation of the first amendment that prohibits laws respecting establishments of religion?

Are laws exempting religions and religious organizations a violation of the 1st Amendment that prohibits laws respecting establishments of religion?

Within that, where Congress has the right to infringe on religious beliefs if it poses a burden to government, is that Constitutional?

Can a for-profit corporation whose primary activities are not religious in any sense, but are wholly commercial and extremely exploitative, have religious beliefs? If so, how does it, or any company, express that belief? How does a piece of paper with writing on it (the corporate charter) think? Can it pray? Can it recognize a Supreme Being or lack thereof? Can it recognize itself? Does it have consciousness?

Does the issue of Hobby Lobby dropping contraceptive coverage immediately before suing, bear any weight on this question?

Should the Hobby Lobby retirement program that invests in the very things that Hobby Lobby claims it wants removed from public consumption bear any weight in the final decision?

Can a for-profit corporation that funds abortions and human rights abuses in one country be simultaneously against them in its own country at a time when insurers or the taxpayers will pick up the tab of expensive premiums if the court grants it an indulgence?

Does the current Constitution allow Congress to pass a law to fund health insurance, or should Congress have asked the people for an amendment?

OK. It's time for you to decide whether a corporation is capable of having religious beliefs.

Pausing for discussion

A government of, by, and for the people means that people establish the government and they govern IT, agreeing to abide by its rules. Can you set your own religious beliefs aside to conform your decision to the Constitution—the people's contractual guarantees? If so, then you are most assuredly capable of participating in a government of, by, and for the people.

How did the court "rule"? The Court held:

It did not rule that Congress shall pass no law respecting an institution of religion, therefore all exemptions are invalid. It ruled: "In holding that the HHS (Health and Human Services) mandate is unlawful, we reject HHS's argument that the owners of the companies forfeited all RFRA protection when they decided to organize their businesses as corporations rather than sole proprietorships or general partnerships."

In issuing its decree, the high court invented a new kind of person, the supernatural person that is a closely-held corporation, with what "closely-held" means never being fully defined. A supernatural person is when a natural person's thoughts merge with the corporate charter's (the paper's) thoughts. Hobby Lobby shares are owned by members of the family, with the number of shares or numbers of shareholders being unknown because it is a private rather than a public corporate person.

With the existence of supernatural persons added to the mix, the decision adds yet another discriminatory law that divides the invisible persons called corporations into hierarchies, with supernatural persons being superior to super duper persons, being superior to super persons, being superior to corporate persons, being superior to corporate non-persons (labor unions). We can call it the "Doctrine of Corporate Racism", or "Corporate Jim Crowe".

Where the court has decreed that if a natural person has a constitutional right, so too does a corporation, it now says that it doesn't work in reverse. You and I do not have the right to refuse to pay for such coverage on moral grounds.

Hobby Lobby was not granted a religious exemption. It was granted an exemption for religious purposes—a very different thing. That means that Hobby Lobby, or any other closely held corporation, does not have to provide insurance to its employees for anything else it deems immoral. The cost of that which it finds immoral, does not fall on either the insurance companies or the taxpayers; it falls on the families—the natural persons themselves. As we have seen, natural persons are always the losers when it comes to the Supreme Court and its predilections.

Now there are law firms offering to represent clients who want to opt out of other types of laws that private corporations don't want to honor for "moral" reasons. One firm suggests getting all shareholders to sign an affidavit saying that they are in agreement with the religious objection to any particular law, no matter the nature of the law, and that's good enough protection. The Hobby Lobby decision made it so. The court, in oral arguments, insisted that a sincerely held belief can never be held to testing. That makes it so much easier.

It also made women less than men. Required insurance covers Viagara for rapists, but it is not required to cover birth control or remedy for his victims.

Chapter 8

Let's Talk First Amendment
Hein v. Freedom From Religion Foundation

"We are a religious people whose institutions presuppose a Supreme Being"
Justice Douglass writing for the majority in Zorach v. Clauson

The first Amendment reads in part: "*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof*". The 14th Amendment reads in part: No state may "*deny to any person within its jurisdiction the equal protection of the laws.*" These two provisions are important in this chapter.

Some believe that the 1st Amendment means that the government may not establish a church. But that would be an overly simplistic explanation that distorts what is actually prohibited. It makes no sense to say that government cannot establish a religion, or prohibit the free exercise of its own religion. Why would a government want to prohibit the free exercise of the religion it established? If the authors had wanted to say that government may not establish a religion, then it would have been easy enough to say Congress shall not establish a religion. It said that it could pass NO LAW respecting an establishment of religion. That's very different.

At the same time, if government were to establish a preference for one body of thought, such as a particular religion or group of religions, and it funded institutions to teach that body of thought—whether that funding was direct or indirect, and whether the teachings were direct or indirect, it would be formally establishing a religion. If government establishes a religion, it restricts freedom

of thought, without which, no one can be free. The essence of freedom is freedom of thought and the right of conscience, your most treasured (lost) freedom, as a result of that.

This being said, you are invited to look at just a few of the laws that have been made respecting religions. (There are many more than can be included in only one book, let alone one chapter of a book about other things. In fact, no one is able to access all available data about laws that financially and legally support religion in this country because not even the government knows, according to the government.)

Let us begin with IRS Publication 1828. It introduces itself in this way:

"Congress has enacted special tax laws applicable to churches, religious organizations, and ministers in recognition of their unique status in American society and of their rights guaranteed by the First Amendment of the Constitution of the United States."

Since when do laws giving financial subsidies to churches, religious organizations, and ministers of religion <u>guarantee their rights</u> under the First Amendment that says there should be no such laws ? Don't they destroy the First Amendment?

(If you are competent enough to understand that, you are most capable of participating in a government of, by, and for the people. Congratulations!)

What are some of the other laws? Let's look:

<u>"Church.</u>

"Certain characteristics are generally attributed to churches. These attributes of a church have been developed by the IRS and by court decisions. They include:

- distinct legal existence

- recognized creed and form of worship;
- definite and distinct ecclesiastical government;
- formal code of doctrine and discipline;
- distinct religious history; membership not associated with any other church or denomination;
- organization of ordained ministers;
- ordained ministers selected after completing prescribed courses of study;
- literature of its own;
- established places of worship;
- regular congregations;
- regular religious services;
- Sunday schools for the religious instruction of the young; schools for the preparation of its ministers. "

A religion is not now required to meet ALL standards because by doing that, all religions but Christianity would be denied benefits. Each church is now determined on a case-by-case basis. By drawing outlines of what a church is, the courts have made it impossible for some non-traditional groups or individuals to claim church status. Some religions do not require regular congregations. Others understand that their conscience is their religion, so their churches are churches of one. These are exempted from financial protections and privileges that other religions have.

By establishing special subsidies for the government's preferred religions under the guise of tax breaks, and by forcing unwilling taxpayers to support them, and denying taxpayers the right to object because if most are harmed, then none are sufficiently harmed, it clearly violates the First Amendment protections of those whose religions are violated by being forced to support other religions.

When James Madison explained the meaning of the religious freedom clause of the First Amendment in the first session of congress[28], an establishment of religion was no more or less important than any other worldview, whether part of a church or not. He did not believe in giving government-owned land to churches and thought that they, like everyone else, should pay taxes imposed on any other—including real estate taxes.

"Integrated Auxiliary of a Church.

"The term integrated auxiliary of a church refers to a class of organizations that are related to a church or convention or association of churches, but are not such organizations themselves. In general, the IRS will treat an organization that meets the following three requirements as an integrated auxiliary of a church. The organization must:

- be described both as an IRC section 501(c)(3) charitable organization and as a public charity under IRC sections 509(a)(1), (2), or (3),
- be affiliated with a church or convention or association of churches, and
- Receive financial support primarily from internal church sources as opposed to public or governmental sources.

"The same rules that apply to a church apply to the integrated auxiliary of a church, with the exception of those rules that apply to the audit of a church**.** See section Special Rules Limiting IRS Authority to Audit a Church."

We know that tax-deductible donations fund churches. We don't know what part the Faith Based Initiatives fund any given church-affiliated auxiliary. We wont find that out because of the "Special Rules Limiting IRS Authority to Audit a Church" and because the Office of Faith Based Initiatives, which is part of the executive branch, says it doesn't know how its money is spent.

[28] Annals of Congress, First Session of Congress, Page 758

"Tax Exempt Status:

"Churches and religious organizations, like many other charitable organizations qualify for exemption from federal income tax under IRC section 501 C(3) and are generally eligible to receive tax-deductible contributions. To qualify for tax-exempt status, such an organization must meet the following requirements:

- the organization must be organized and operated exclusively for religious, educational, scientific, or other charitable purposes,
- net earnings may not inure to the benefit of any private individual or shareholder,
- no substantial part of its activity may be attempting to influence legislation,
- the organization may not intervene in political campaigns, and
- the organization's purposes and activities may not be illegal or violate fundamental public policy…"

To keep their tax benefits, churches may speak of politics for the purpose of voter education or registration activities, however there can be no bias that:

- "would favor one candidate over another;
- "oppose a candidate in some manner; or
- "have the effect of favoring a candidate or group of candidates"

Though religions receiving non-profit status are expressly prohibited from appearing to favor a candidate or group of candidates, many fearlessly ignore the requirement, even going so far as to post their vitriol about political positions on YouTube. The American Family Association (among others) is a tax-exempt "ministry", the purpose of which is to influence legislation and promote its favorite group of candidates. These new politically oriented and connected churches and religious organizations are as much political organizations as they are religious institutions. Every political action committee (PAC), business, and person in America would love to claim the special benefits and privileges that are heaped upon religions.

"Special Rules Limiting IRS Authority to Audit a Church

"Congress has imposed special limitations...on how and when the IRS may conduct civil tax inquiries and examinations of churches. The IRS may begin a church tax inquiry only if an appropriate high-level Treasury official reasonably believes, on the basis of facts and circumstances recorded in writing, that an organization claiming to be a church or convention or association of churches may not qualify for exemption, ... There are additional safeguards for the protection of churches under Internal Revenue Code section 7611."

No wonder those televangelists and other ministers who appear on YouTube and religious radio and TV stations, openly talk about what the listeners should vote for thus having the effect of favoring a candidate or group of candidates. When the IRS called for audits a few years ago, it was called "persecution" of Christian organizations, something that can end a political career.

"Recognition of Tax-Exempt Status : Automatic Exemption for Churches

"Once your organization has been certified as a church, Churches are automatically considered tax exempt and are not required to apply for and obtain recognition of tax-exempt status from the IRS."

Churches do not have to meet the same qualification standards as actual charitable organizations, and there are no special exemptions for those groups. These are special laws respecting institutions of religions only.

"Withholding Income Tax for Ministers

"Unlike other exempt organizations or businesses, a church is not required to withhold income tax from the compensation that it pays to its duly ordained, commissioned, or licensed ministers for performing services in the exercise of their ministry."

"Parsonage or Housing Allowances

"Generally, a minister's gross income does not include the fair rental value of a home (parsonage) provided, or a housing allowance paid, as part of the minister's compensation for services performed that are ordinarily the duties of a minister.

"A minister who is furnished a parsonage may exclude from income the fair rental value of the parsonage, including utilities. However, the amount excluded cannot be more than the reasonable pay for the minister's services."

If you are a farmer and you are given free housing by the owner of the farm, you must declare the fair market value of the home (plus utilities if given for free) and add it to your income to be taxed. How nice for the clergy who get to subtract it plus all utilities including maintenance from their taxable incomes, or receive direct tax-payer subsidized paychecks in the amount of that value, with those checks not considered taxable income.

To see the extent to which these special benefits are being abused by those who know how to use the system to live the lives of billionaires, thanks to us, please see the appendix at the end of this chapter. It's truly offensive, amounting to anywhere from 71 to 83.5 billion taxpayer-subsidized dollars, even as government has to borrow money with interest attached to grant them.

Obviously, the law giving churches and religious organizations tax exempt status and tax breaks for ministers was bound to make its way to the Supreme Court. In Walz v. Tax Commissioner of the City of New York, the high court decreed that: "The grant of a tax exemption was not sponsorship of the organizations because the government did not transfer part of its revenue to churches but simply abstained from demanding that the churches support the state."

What the government DID do was transfer the churches' tax burden to "We, the people", who have no standing before the court in matters of taxation, and who must compensate the government for the tens of billions that it is not receiving from the churches, their ministers, and religious organizations, plus compensating for the tax-deductible contributions to churches and religious organizations by their members.

Today, thanks to the more recent Faith Based Initiatives, there is DIRECT transfer of part of its revenue to the churches and their affiliated organizations through Faith Based Initiatives. As the court issued the doctrine that transferred government revenue to churches equates to sponsorship of the religions, then by Judicial decree, we are a theocracy and the First Amendment is void. (Unless the Court goes ex-post facto on us again.)

These tax exemptions came into being starting in 1913, but they have grown since. In the 1950s "In God We Trust" was added to our money and declared by President Eisenhower to be our new "National Motto". (It used to be E Pluribus Unum) When Aronow v. United States, challenging the law, made it to the Supreme Court, the court decreed that "It is quite obvious that the national motto and the slogan on coinage and currency 'In God We Trust' has nothing whatsoever to do with the establishment of religion." (Just as it more recently decreed that prayers to the Biblical God before a city council meeting in Utica, NY have nothing whatsoever to do with religion.) How can it not? There are many religions that do not worship God and others that worship other gods, and others that do not have any gods, and others where public prayers are sinful and a damnable offense.

The laws respecting religions that you have seen so far are only the barest of beginnings. How would you like to be self-employed and get exempted from having to pay self employment taxes? If you are a minister, no problem. Just sign the form that says:

"I request to be exempted from paying self-employment tax on my earnings from services as a minister, member of a religious order not under a vow of poverty, or Christian Science practitioner, under section 1402(e) of the Internal Revenue Code. ..."

Would you like more benefits that ministers have? How about being relieved of the burden of paying FICA (Social Security and Medicare/Medicaid) taxes that ALL employed non-clergy are required to pay even if they are charitable organizations? No problem, just sign a form that says:

"I certify that I am conscientiously opposed to, or because of my religious principles I am opposed to, the acceptance (for services I perform as a minister, Member of a religious order not under a vow of poverty, or Christian Science practitioner) of any public insurance that makes payments in the event of death, disability, old age, or retirement; or that makes payments toward the cost of, or provides services for, medical care. (Public insurance includes insurance systems established by the Social Security Act.) ..."

To be fair, those who exempt themselves may not change their minds later, and will not receive Social Security (unless the Court decides otherwise, which it might at some point), but this is not a concern for the many wealthy televangelists who profit handsomely from existing laws. Of course, alternative pension arrangements are available to those morally opposed to public plans under a law called 403 (b), also known as a tax-sheltered annuity plan, which is a private pension plan.

This does give rise to the question of why a non-God believing pacifist is not allowed to refuse to support war or the death penalty based on ethical principles, yet a minister can be ethically opposed to participating in public insurance programs and be in favor of the wars and the death penalty that many of the ministers of religion favor.

What makes public programs ethical conundrums? Why is one kind of pension or insurance ethical and the other not? Aren't the operative words "pension" and "insurance"? During the Viet Nam War, pacifists could not declare conscientious objector status unless they believed in a supreme being. Two standards!

How can wealthy "ministers" be ethically OK with taking massive amounts of money from the public till, yet be opposed to putting small amounts into the insurance fund that is there for the rest of us? How is it ethical to take but not ethical to give?

Should a homosexual be required to violate his ethics by financially supporting those churches that call him evil, even to the point of publicly announcing that he should be killed or imprisoned for life?

Should a woman be required to violate her conscience by being forced to financially support a religion that tells her and her daughters that they cannot be trusted to own their own bodies, a right that the Constitution once guaranteed?

Should Native Americans be required to support a church that just canonized someone who was actually their Inquisitor during the Spanish Inquisitions?

Your government thinks so. Too many from too many walks of life are forced to violate their consciences and lose First Amendment rights—by law—so that those of the State's favored religions can retain their First Amendment rights. Again, the high court established new layers of inequality, unnecessarily driving us farther and farther apart from one another.

Benefits to religions don't end there. An October 8, 2006 article in the New York Times reports that "laws passed since 1989 shows that more than 200 special arrangements, protections or exemptions for religious groups or their adherents were tucked into Congressional legislation, [including earmarks mentioned

elsewhere in the article] covering topics ranging from pensions to immigration to land use. New breaks have also been provided by a host of pivotal court decisions at the state and federal level, and by numerous rule changes in almost every department and agency of the executive branch.

"The special breaks amount to 'a sort of religious affirmative action program,' said John Witte Jr., director of the Center for the Study of Law and Religion at the Emory University law school. Professor Witte added: 'Separation of church and state was certainly part of American law when many of today's public opinion makers were in school. But separation of church and state is no longer the law of the land.

"As a result of these special breaks, religious organizations of all faiths stand in a position that American businesses — and the thousands of nonprofit groups without that "religious" label — can only envy. And the new breaks come at a time when many religious organizations are expanding into activities — from day care centers to funeral homes, from ice cream parlors to fitness clubs, [and] from bookstores to broadcasters [elsewhere in the article, it includes theme parks and mountain retreats] giving them an unfair competitive advantage in business."

The First Amendment doesn't say that any law respecting an institution of religion must free it from laws that apply to all other organizations and persons. It says the opposite. The First Amendment demands that Congress may not make ANY law respecting an establishment of religion – neither exempting nor promoting religion. The most sacred amendment has been turned upside down and inside-out. Welcome to the American Theocracy.

The 1st Amendment was not meant to imply or foster lawlessness for the religious while the rest of the inferior citizens are required to fund their own oppression, and pay the intellectual, and emotional cost of that oppression. At a time when the Spanish Inquisitions were still ongoing, the 1st Amendment was demanded to keep religion out of government AND government out of religion.

And it only gets worse.

The government defines a charity (as all religions automatically are) in this way: Charitable organizations conduct activities that promote:

- relief of the poor, the distressed, or the underprivileged,
- advancement of religion,
- advancement of education or science,
- erection or maintenance of public buildings, monuments, or works,
- lessening the burdens of government,
- lessening neighborhood tensions,
- eliminating prejudice and discrimination,
- defending human and civil rights secured by law,
- combating community deterioration and juvenile delinquency

The problem with that is that too many churches are actively against all but advancing their religion. Most churches do not have as a primary activity, relief of the poor and underprivileged. Many are actively against science, preferring creationism over science, and denying climate change in spite of the fact that we have already entered a mass extinction event that threatens to bring life on earth to an end. Their buildings are not public buildings and many monuments (crosses) are recreations of a threatening torture device. And as to combating community deterioration and juvenile delinquency, U. S. government statistics tell us otherwise. The most religious states have staggering rates of all kinds of social problems.

Looking at nothing more than teen pregnancies and dangerous STDs, let's compare Mississippi (59% religious) with New Hampshire (35% religious).

	New Hampshire	Mississippi
Teen Pregnancies[29]	18 per 1,000	76 per 1,000
STDs age 15-24[30]	0.140 per 1,000	16.30 per 1,000 (116.4 times higher)
Sex Ed taught in schools[31]	Yes. Turned down federal funds to teach Christian abstinence-only-until-marriage in public schools.	Partial. Received federal funds to teach Christian abstinence-only-until marriage in public schools.

For the fiscal years 2010 through 2014, the Social Security Administration, that department that is running out of money, allocated 50 million dollars per year for the purpose of teaching the Christian-conservative "Abstinence-only-until-marriage" (AUOM) morality in public schools under Section 510 of the Social Security Act. There were many different grant opportunities for other AOUM programs through various government agencies. As much as you hear to the contrary, it is perfectly legal for Christian morality to be taught in public schools.

During the G. W. Bush years, when States opted out of the Abstinence-only-until-marriage programs (AOUM) because their many studies showed that they damage society rather than improve it, States were bypassed altogether and grants were offered directly to local communities.

In December 2004, Representative Henry Waxman (D-CA) released a report in his role as minority leader of the House Committee on Government Reform. The report documented that 11 of the 13 abstinence-only-until-marriage programs most widely used by Administration for Children and Families Community-Based Abstinence Education (CBAE), grantees' [literature] contained false, misleading, or distorted information about reproductive health, misrepresentations about the

[29] http://www.hhs.gov/ash/oah/adolescent-health-topics/reproductive-health/teen-pregnancy/trends.html
[30] http://www.cdc.gov/std/stats/by-age/15-24-all-stds/default.htm
[31] exetc.org/states/vermont/

effectiveness of condoms in preventing STDs and pregnancy, as well as gender stereotypes, moral judgments, religious concepts, and factual errors.

A report released by the non-partisan Government Accountability Office (GAO) in November 2006 found that the Administration for Children and Families (ACF) was providing very little oversight of funded abstinence-only-until-marriage programs and noted that the federal agency did not review its grantees' materials for scientific accuracy or even require grantees to review their own materials for scientific accuracy[32]

A 2011 University of Georgia study announced something that is easy enough for anyone to look up themselves using the government's own statistics. States that prescribe AOUM sex education programs in public schools have significantly higher teenage pregnancy and birth rates than states with more comprehensive sex education programs[33]. Programs like these encourage "community deterioration and juvenile delinquency". They don't discourage them.

In addition to the 50 million dollars a year from the Social Security Administration, and more through the Administration for Children and Families (ACF), the Department of Health and Human Services (HHS) allocated five million per year in grants under its own Competitive Abstinence Education (CAE) Grant program.[34]

The GAO (Government Accountability Office) 2006 "Report to Congressional Requesters: Faith Based and Community Initiatives" showed that of the grants allocated in only the five departments it was authorized to report on (which apparently didn't include the many others it wasn't authorized to report on), of specific programs that it investigated, about half a billion dollars went to grants specifically allocated for Christian, Inter-Faith, Baptist, Lutheran, Pentecostal,

[32] http://www.siecus.org/index.cfm?fuseaction=page.viewpage&pageid=1340&nodeid=1
[33] http://news.uga.edu/releases/article/abstinence-only-education-does-not-lead-to-abstinent-behavior/
34 http://www.abstinenceworks.org/news/109-hhs-releases-list-of-successful-grantees-for-new-competitive-abstinence-education-program

Catholic, Protestant, and Evangelical religions as hand-outs. One is listed for a Jewish program. None are listed for any Muslim, Pagan, Wiccan, American Indian, Hindu, Buddhist, or any other religion. Humanist, or secular humanist community-based group. All of its abstinence-only-until-marriage grants were issued listed as grants for Christian programs. This makes them bribes – or payment for votes – as well as evidence of a government-established and funded religion.

The Office of Faith Based Initiatives says that it doesn't know how funds are spent because it doesn't keep records, and many peoples' attempts to find out where our money is going are either rejected or ignored. Much of the funding goes through various departments or directly to the states that then give out an additional 40 million per year for the states' favored religions in direct violation of the 14th Amendments requirement for equal treatment for all and the prohibition of this federal funding by virtue of the First Amendment.

What are we getting for those trillions of dollars that government borrows and taxpayers must pay for at the behest of the politically active, government-funded American religions?

In addition to higher rates of teen pregnancy, teen birth rates that send families into poverty that taxpayers must step in to help, and increased STDs including HIV in areas where AOUM is taught, there are other pressing real and imminent threats to many of us when we fund religions in any way.

93% of pedophiles self-identify as "very religious" according to the "Abel and Harlowe Child Molestation Prevention Study". This study found that pedophiles average 12 child victims and 71 acts of molestation. An earlier study by Dr. Abel found that out of 561 sexual offenders there were over 291,000 incidents totaling over 195,000 total victims, with the chance of a pedophile getting caught at about 3%. That's what Americans are paying for.

That 93% statistic is disproportionate to the U. S. population in general, where only 34% consider themselves very religious (attend church regularly) and only 54% are certain that there is a god, according to a 2013 Harris Poll.

That 2013 poll combined with two Freedom of Information requests by Herman Mehta in 2013 and 2015 tell us something else that is troubling. While nearly 93% of federal prisoners self identify with religions that believe in God, gods, or similar spirits, or are unchurched God-believers (no religious preference), only 74% of Americans self-identify with religion, are unchurched believers, or God-leaning agnostics. Again, believers are severely over-represented in prisons[35]. Furthermore, while the poll showed that atheists represent 16% of the American population, they make up only 0.1% of prisoner population according to the Bureau of Prisons' own intake records.

In England, it is similar. According to Britain's official publication in 2001, 87.2% of prisoners self-identified as Christian, if one adds Jehovah's Witnesses and Mormons (that the published report said are not Christians even though they are). According to their 2001 census, only 72% of the entire population self-identified as Christian.[36] There as well, Christians are seriously over-represented in prisons while a non-reportable number were atheists, agnostics, and no-religion—meaning those three separate categories each numbered less than one half of one percent of the entire prison population.[37]

In order to curry favor with voters, according to the very limited GAO report, Baptists and Catholics were given 4.5 million in HHS funds to establish in-prison ministries, where our money is spent openly teaching the Christian religion. (More funds were provided to States and other federal agencies may also be issuing grants.) But do in-prison ministries actually work to reduce violence,

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[35] *Prisoners are not asked if they believe in God. They are only asked about their religious identification.*
[36] http://www.adherents.com/misc/adh_prison3.html *and* https://en.wikipedia.org/wiki/United_Kingdom_Census_2001#Religion
[37] *England no longer publishes specific information, just as the USA never has. It also merges atheists with a group called heathenists.*

crime and/or recidivism? Or are they more like abstinence-only programs that do far more harm than good?

When he was governor of Texas, George W. Bush invited Charles Colson's Prison Fellowship to start InnerChange Freedom Initiative, a Bible-centered prison-within-a-prison where inmates undergo vigorous evangelizing, prayer sessions, and intensive religious counseling. In 2003, President George W. Bush invited Colson to the White House to share the results of his study about the effectiveness of his program. The study was lauded in all circles except those that studied the study.

The Colson study showed that those who completed the program had significantly lower recidivism rates. States around the country started funding their own Christian prison ministry programs based on what they were told. But those who were looking at the data knew that the study cooked the books in order to arrive at the desired conclusion. Those who entered the program actually had a higher recidivism rate than the control group.

Here's what happened: InnerChange started with 177 volunteer prisoners. Of that number, 102 didn't complete the program and 75 did. The 102 who did not "graduate" were not counted as failures. Only the 75 that did were counted as successes, skewing the results. If you don't count the failures, the success numbers are always going to look stupendous.

Completion of the program involved sticking with it after release. No one counted as a success unless he got a job after release. Naturally those who found jobs after release did better. Getting a job after release is among the very best predictors of lowering recidivism.

Colson's study ignored the fact that those who are visited in prison have lower recidivism rates because they have a support system waiting for them when they get out. It also ignores the fact that secular education and job training in prison

also reduces recidivism. It's easier to find a job with a skill, a high school diploma, or college degree than without.

When President G. W. Bush accepted Colson's study, he ignored the government's own study of 10 years before. According to the government's study of all studies, plus its own study[38] that included actual interviews with participants, and that matched each participant with an appropriate control chosen by assigning many data points, it was revealed that:

"After admission to prison, 69 percent of inmates report having working assignments, 45 percent report participating in some form of academic education, and 31 percent report attending vocational training. 32 percent … reported involvement in religious activities such as Bible studies and church services, 20 percent reported taking part in self-improvement programs, and 17 percent reported that they had been involved in (secular) counseling." (All but one of these reduces recidivism.)

Colson's study never looked at those activities. The 1993 study went on to show that there is absolutely no relationship between religion in prison and recidivism. Strikingly, it went further to demonstrate that those who are involved in prison faith groups have an inverse relationship to in-prison infractions. In other words, while in prison, those in the faith groups had more infractions and were more violent. Faith is not the treatment for criminality or violence.[39] In prisons at least, it's a cause. That's what we are paying for with faith based initiatives.

[38] http://www.leaderu.com/humanities/johnson.html#text1 (Study: Religious Programs, Institutional Adjustment, and Recidivism among Former Inmates in Prison Fellowship Programs by BYRON R. JOHNSON—Lamar University, DAVID B. LARSON—National Institute for Healthcare Research, Duke University Medical Center, and TIMOTHY C. PITTS—Morehead State University

[39] Colson's Iowa in-prison ministry was defunded when the State of Iowa said the program was Christian, and ordered Colson's ministry to repay Iowa $160 million it invested after the time it learned that the program was not Constitutional. Colson did not appeal to the Supreme Court that has already said that no one has standing to stop it.

Another similar study shows the same thing. Georgia State University, conducted a study of street criminals[40]. Hoping for more honesty and insight than they would be able to get in a prison setting where prisoners often get early release if they say the right things, they conducted interviews in the hood. They found 48 volunteers. 44 of them claimed to be Christian, one converted from Christianity to Islam, and three claimed to be atheists.

The study is titled: "With God on my side: The paradoxical relationship between religious belief and criminality among hardcore street offenders". The report reads in part: "our results indicate that religion may have a counterintuitive criminogenic effect in certain contexts. Through purposeful distortion or genuine ignorance, the hardcore offenders we interviewed are able to exploit the absolvitory tenets of religious doctrine, neutralizing their fear of death to not only allow but encourage offending. This suggests a number of intriguing consequences for deterrence theory and policy."[41] By funding religion, we are paying for gang members to see their innocence and justify their violence in the name of God.

If religion is good for America, it would show up somewhere in some statistics. In far too many areas, the statistics and evidence strongly suggest that religion in America is dangerous—for us, for our children, and for our society. We use tax laws and taxpayer funded subsidies to force non-believers of the now-official state religion to support its favored religion at our own quantifiable peril. That is the opposite of the protections that the Constitution guaranteed.

No matter how unethical or ineffective faith-based initiatives and subsidies that raise your taxes, if you ethically oppose these programs you are still required to violate your conscience and support them. This in spite of the First Amendment and The Religious Freedom Restoration Act (that is itself a law respecting

[40] Conducted byVolkan Topalli, Timothy Brezina, and Mindy Bernhardt
[41] http://tcr.sagepub.com/content/17/1/49 *and* http://www.researchgate.net/publication/258192100_With_God_on_my_side_The_paradoxical_relationship_between religious_belief_and_criminality_among_hardcore_street_offenders

establishments of religion that the government approves of). In America, an inferior "natural person" has no right to honor his or her own conscience that is a religion, which is what the First Amendment once guaranteed. Only clergy, religious organizations, or supernatural persons (somewhat closely held corporations such as Hobby Lobby), have a right to honor their consciences. That is what the First Amendment has come to stand for.

Wouldn't it be more rational to suggest that if the religious are so convinced of the magnificence and efficacy of their worldviews, that they should be eager to share their beliefs with others for free? How ethical is it to take others' money in exchange for sharing this wonderful worldview that will make all things right again—despite the mountains of evidence showing that in the cases of certain religions, the opposite is true?

If someone wants an early abortion, let's say because of rape or incest, at least one state requires her to be raped again by a medical practitioner who inserts a metal, penis-shaped device into her vagina before prodding in and out and round about for far too many embarrassing and shameful minutes. (Transvaginal ultrasound) What kind of sadistic monsters call for this? Those who insist that they are doing God's Will demanded it. We are paying for that.

It is not just adults who are being harmed by it. With the growth of our Church-State alliance, bullying has grown in our schools to the point where it is now an epidemic. Teen suicides and bullying are of such great proportions that schools are trying to find a way to fix the problem. Largely atheist Vermont doesn't really have that problem. Largely religious Texas does.

Studies of the teen LGBT community are disturbing. In a report issued by the U. S. Senate based on GLSEN surveys, almost eighty-five percent of LGBT teenagers are harassed in high school because of their sexual orientation. Nearly two-thirds of LGBT students say that they felt unsafe in school and thirty percent

occasionally stay home to avoid bullying. The Senate report[42] states that the most common report from these teens was that they feel the need to avoid rest rooms and locker rooms, though many avoid other places, like athletic fields, where they feel unsafe.

Furthermore, the Senate report says that the grade point average of those who were more frequently harassed because of their sexual orientation was less than those of students less often harassed. Increased levels of victimization are related to increased levels of depression and anxiety along with decreased levels of self-esteem.[43] This damage, the report states, continues into adult life. A 2011 Senate report with the same name says that one in five LGBT are physically assaulted, and it also says that there is less incidence of bullying in the Northeast and Northwest, which are now no longer bastions of the Abrahamic religions. Statistical evidence shows greater incidence of bullying in those areas that are more likely to be fundamentalist, evangelical Christians. We are paying for that.

Government funded religious programs that literally encourage physical, emotional, and intellectual violence against all who violate its tenets, are having life-long effects. Government has become the old Roman Empire, when Emperor Theodosius declared Roman Catholicism to be the only State religion. Those who didn't choose to obey and convert were stripped of their property that Christian individuals could then claim as their own. In this way, the empire paid the Christians to either force non-Nicean Christians to convert, force them out of the empire, or kill them with impunity before taking their property (without actually having to pay them money to do so – which is rather like a tax exemption or a tax-free housing allowance).

It has long been thought that religions offer substantial benefit to our society, but over and over again, statistics and studies show that the opposite is true. Is it time to ask if promoting the official State religion is good for America? In

[42] The 2009 National School Climate Survey
[43] Key Findings of theGLSEN 2009 National School Climate Survey, published by the U. S. Senate.

America's early days, the idea of the federal government involving itself in matters of religion was deemed repugnant by most states. Our ancestors knew the dangers of mixing the two. The inquisitions were still underway. The last one to die in the Spanish Inquisitions died in 1818, almost thirty years after ratification of the constitution.

In a March 30, 2011 post in Psychology Today, excerpted here, David Niose[44] wrote about yet another study. This one by Phil Zuckerman[45]: "Citing four different studies, 'Murder rates are actually lower in more secular nations and higher in more religious nations where belief in God is widespread.' He also states: 'Of the top 50 safest cities in the world, nearly all are in relatively non-religious countries.' "

"Within the United States, we see the same pattern. Citing census data, he writes: 'And within America, the states with the highest murder rates tend to be the highly religious, such as Louisiana and Alabama, but the states with the lowest murder rates tend to be the among the least religious in the country, such as Vermont and Oregon'.

"And these findings are not limited to murder rates, as rates of all violent crime tend to be higher in "religious" states" (Thus we are subsidizing that violence).

"Marriage and Family:

"Zuckerman cites a 1999 Barna study that finds that atheists and agnostics actually have lower divorce rates than religious Americans.

"He also cites another study, in Canada, that found conservative Christian women experienced higher rates of domestic violence than non-affiliated women.

[44] Former head of the American Humanist Association
[45] http://pitweb.pitzer.edu/academics/wp-content/uploads/sites/38/2014/12/FAC-Zuckerman-Sociology-Compass.pdf (Atheism, Secularity, and Well-Being: How the Findings of Social Science Counter Negative Stereotypes and Assumptions – for publication in 2009)

"Other Findings of Interest:

"Happiness: The most secular nations in the world report the highest levels of happiness among their population.

"Altruism: Secular nations such as those in Scandinavia donate the most money and supportive aid, per capita, to poorer nations. Zuckerman also reports that two studies show that during the Holocaust, 'the more secular people were the more likely they were to rescue and help persecuted Jews.'

"Outlooks and Values: Zuckerman, citing numerous studies, shows that atheists and agnostics, when compared to religious people, are actually less likely to be nationalistic, racist, anti-Semitic, dogmatic, ethnocentric, and authoritarian. Secularism also correlates to higher education levels. Atheists and other secular people are also much more likely to support women's rights and gender equality, as well as gay and lesbian rights".

In contrast:

"Religious individuals are more likely to support government use of torture."[46]

We are being required to fund the opposite of what studies show will make us a better people. Does that violate your conscience? If it does, then you must realize that The Religious Freedom Restoration Act is not about restoring religious freedom. It's about conferring a special set of rules on those who are members of an organized religion that the majority of a court, now consisting of six Catholics and three Jews, recognize and favor.

[46] https://www.psychologytoday.com/blog/our-humanity-naturally/201103/misinformation-and-facts-about-secularism-and-religion To see Phil Zuckerman's article, go to http://pitweb.pitzer.edu/academics/wp-content/uploads/sites/38/2014/12/FAC-Zuckerman-Sociology-Compass.pdf

The Faith Based Initiative program allows participating organizations to engage in employee discrimination, something that no other public or private sector non-profit or for-profit business is allowed to do. Government funding makes religious organizations "Agents" of the government, so that employment discrimination is done in the name of the government itself, which means it is done in "our" name. That's a tiny part of what we are paying for, and that violates other laws, be they Constitutional or not, and whether they violate the ethics of many or not. For egalitarians, that is a gross breach of conscience but in America, such a person does not have the Court's permission to have a conscience like the piece of paper with writing on it that is known as Hobby Lobby.

What else are we getting in return for paying all that money? Look further at the vast amount of evidence that AA with its higher-power-based (most often the Christian God) program is only helpful for five to ten percent of addicts. It actually harms the rest.[47] AA is an epic fail, yet some judges still require people to attend. We are subsidizing and paying outright for groups like "Faith Works" that use provably unworkable methods.

There is also a newfound interest in the relationship between schizophrenia and Christianity because Americans with schizophrenia especially, and those from other largely Christian nations have a higher degree of religious delusions than Muslims, Buddhists, and other cultural or ethnic groups. This can be good or bad. It can cause some to believe they are a kindly God, prophet, or the Messiah, or it can cause some to believe that they are hearing God tell them to kill people. According to the NIH, the link between religion and schizophrenia needs more study, but there is already a provable link between how schizophrenia affects its victims and the culture in which they were raised. In Japan for instance, the paranoia is about shame, which is a traditional cultural concern. Also, Korean delusions are different from Korean-Chinese delusions that are different from

[47] Because the widespread belief that AA is an effective treatment, when a person fails to remain sober, they believe that they failed, rather than the AA program failed them, and they give up trying. http://www.npr.org/2014/03/23/291405829/with-sobering-science-doctor-debunks-12-step-recovery

Chinese delusions. Ours is a very Christian culture, thus for us, religion is a dangerous State-sponsored cultural mandate.

A deep, hard, and unbiased look at the data assures us that our esteem for organized religions is sorely misplaced.

If we're going to spend money to subsidize worldviews (which we would need an amendment to do), it seems that we should be subsidizing the atheists who present the fewest problems in all areas of social disruption.

There is concrete harm—mental, emotional, intellectual, spiritual, and financial—being inflicted on us and we have no standing to object to the nation's unconstitutional and patently religious policies and practices.

Is it ever ethical to force someone to pay people whose values and works are ethically abhorrent to your own and provably harmful to society, to yourself, and to your children—sometimes to the point of children being killed or committing suicide? Is it ethical to be forced to pay people to lie to your children about their sexuality? Many consider lying to children a form of child abuse because it distorts their reality, thus their ability to function effectively in society. Apparently when it comes to funding religions, it is moral, though no ethical person would call it ethical.

Should we be subsidizing those organizations, such as the American Family Association[48] (an accredited tax-free "ministry" that is heavily involved in political issues in violation of its tax-free status)? They advertise that anti-

[48] In 2015, the organisation officially repudiated views of former Director of Issues Analysis Bryan Fischer, including the claim that black people "rut like rabbits"; that the First Amendment applies only to Christians; that Hispanics are "socialists by nature" and come to the U.S. to "plunder" the country; that Hillary Clinton is a lesbian, and that "Homosexuality gave us Adolf Hitler, and homosexuals in the military gave us the Brown Shirts, the Nazi war machine and six million dead Jews.". It has not yet repudiated its claim Jews who are hostile to Christianity run the media or that Congress should only allow monotheistic Bible-based prayers in Congress (after being offended by a Hindu prayer being, offered in honor of Mahatma Gandhi, as convocation).

bullying school programs are part of the homosexual agenda to promote the gay lifestyle, while asking parents to keep their children out of schools on anti-bullying program school days—which is a way for parents to teach their children to bully others who are not like them in the name of God who thinks of homosexuals as abominations. This causes the opposite of what is legally required for charitable tax-free status: "lessening neighborhood tensions, eliminating prejudice and discrimination, defending human and civil rights secured by law, and combating community deterioration and juvenile delinquency"

Should we be subsidizing those religions that teach people to physically abuse their children by teaching "spare not the rod"? Corporal punishment harms children, who grow up into harmed adults.

Should women be required to subsidize the ministers of churches that do not believe that women are worthy of co-equal status, or that women are not worthy of being the ministers, priests, rabbis, or imams that they are?

Should the victims of emotional, intellectual, physical, financial and political rape be required—**BY LAW**—to pay their rapists?
That's the real question at hand.

Should we be concerned that given their legally superior position in our culture, Conservative Christians have declared a "War" against the allegedly moral inferiors of the American people?

The methods of how to conduct the war are no secret among those who are being subsidized with our taxpayer dollars. Note some of these quotes:

"I want you to just let a wave of intolerance wash over you. I want you to let a wave of hatred wash over you. Yes, hate is good… Our goal is a Christian nation.

We have a biblical duty, we are called on by God to conquer this country. We don't want equal time. We don't want pluralism." (Randall Terry, founder of Operation Rescue, 8/16/93).

Now replace the word "Christian" with "Muslim, and "God" with "Allah" as you read a quote from a published book:

"Christians have an obligation, a mandate, a commission, a holy responsibility to reclaim the land for Jesus Christ -- to have dominion in civil structures, just as in every other aspect of life and godliness. But it is dominion we are after. Not just a voice. It is dominion we are after. Not just influence. It is dominion we are after. Not just equal time. It is dominion we are after. World conquest. That's what Christ has commissioned us to accomplish. We must win the world with the power of the Gospel. And we must never settle for anything less... Thus, Christian politics has as its primary intent the conquest of the land -- of men, families, institutions, bureaucracies, courts, and governments for the Kingdom of Christ." (The Changing of the Guard: Biblical Principles for Political Action by George Grant, published in 1987 by Dominion Press)

This is what we are subsidizing. How is this good for America? There may not be beheadings (yet), but there is physical, emotional, intellectual, and spiritual abuse along with loss of freedom being heaped upon us at our expense. Why would the government go out of its way to help fund a declared war against its own citizens? Does that even make sense? It wouldn't if the First Amendment had any place in our society.

In a 2015 poll by Public Policy Polling, 57% of Republicans want America to be a Christian theocracy. In a 2008 Gallup poll, when America was more religious by about 7 points, pollsters were surprised to find that, "42% of Americans want religious leaders to have a direct role in writing a constitution, while 55% want

them to play no role at all." Gallup then commented: "These numbers are almost identical to those in Iran."[49]

We can say that we will never let it happen, but for as long as the Supreme Court makes the law, we, the people, have no power to stop it. The high court is answerable to no one. We have no standing to say how our government spends our money or what laws it makes.

When Justice Douglass, writing the majority opinion in Zorach v. Clauson (a religious liberty case), said, "We are a religious people whose institutions presuppose a Supreme Being", he unveiled the secret truth. There is a God in America, but the God he referred to is the Court itself. It determines morality (our religion) for us. America is officially a religious theocracy that is the third evolution of the Holy Roman Empire. That's why courts around the country insist that "In God we Trust" on our money is not a religious declaration; it's a patriotic motto. Our national religion is called Patriotism, the courts are the domain of its priests, and the Supreme Court is the domain of the American god. All courts, down to the lowest court, are above the legislature. Mussolini was right. "Fascism is a religion" and it is the religion of Patriotism.

The Roman Empire was the cruel empire that banished all but Nicean (Trinitarian) Christians who were to convert, leave the empire, or face death, with the people having been given indulgences to make that happen. That empire gave us the Holy Roman Empire, the second reign with its feudalism, taking us into the Dark Ages from which we have not yet emerged. There is a long history of barbaric violence, from bloody crusades, inquisitions, witch burnings, Jew burnings, and suppression of knowledge. Then came what should actually be called the Fourth Reich rather than the Third Reich, another Catholic-government co-operative. (The first concordance of the pope with Hitler came as the pope agreed to dismantle the Catholic Center Party in to allow Hitler to win

[49] http://www.gallup.com/poll/104731/muslims-want-democracy-theocracy.aspx

the election in exchange for a monopoly on education in schools after he won. The pope signed a similar concordance with Mussolini.) There is no need to detail the barbarity of that regime where Hitler proudly boasted of doing God's work and every belt buckle on every soldier proudly proclaimed "With God". We are now altogether bound up in what should be called the third reign, but we can call it the Fourth reign to make things easier to put together.

After all of that introduction, we are ready to look at the case that we will decide today: Hein v. Freedom From Religion Foundation.

Facts of the case:

George W. Bush's first executive order as president created the Office of Faith-Based and Community Initiatives in the White House. This (initially) $1.17 billion dollar action allowed small religious groups to receive government funding for providing social services, as partially outlined above.

Is the initiative constitutional? To answer that, we must look at the founding fathers' understanding of the religious freedom portion of the First Amendment, and they did speak about it at length.

When James Madison, who penned the 1st Amendment, wrote his "Memorial and Remonstrance Against Religious Assessments", church-going in Virginia had long been on the decline as "communicants found more reasons for attending Sunday horse races or cock fights than for being in pews[50]... In 1784 a foreign traveler in Richmond noted that the village had only "one small church, but [the inside was] spacious enough for all the pious souls of the place and the region."

[50] http://founders.archives.gov/documents/Madison/01-08-02-0163

Worried about the potential demise of Christianity, a bill was offered in the Virginia Legislature suggesting payments to clergy as a way to fix the problem of declining belief.

Madison, who maintained his own strong faith, expressed why it was so important to completely separate church and State. Notice in these excerpts how that author described "religion" in his reasons for a guaranteed separation of church an State: (Underlines in this section added for emphasis.)

- "Because we hold it for a fundamental and undeniable truth, 'that religion, or the duty which we owe to our Creator[51] and the manner of discharging it, can be directed only by reason and conviction, not by force or violence. The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right." (Each person's worldview is a religion unto itself.)

- "Because the Bill violates the equality which ought to be the basis of every law, and which is more indispensible, in proportion as the validity or expediency of any law is more liable to be impeached. If "all men are by nature equally free and independent," all men are to be considered as entering into Society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all are they to be considered as retaining an "equal title to the free exercise of Religion according to the dictates of Conscience."[52]

- "Because ...[it] implies either that the Civil Magistrate is a competent Judge of Religious Truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant pretension falsified by the contradictory

[51] *read: who or whatever that is*
[52] Quotes within the quote are where Madison is quoting the Virginia Bill of Rights

opinions of Rulers in all ages, and throughout the world: the second an unhallowed perversion of the means of salvation.

- “Because experience witnesseth that eccelsiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the Clergy, ignorance and servility in the laity, in both, superstition, bigotry and persecution. Enquire of the Teachers of Christianity for the ages in which it appeared in its greatest lustre; those of every sect, point to the ages prior to its incorporation with Civil policy.

- “Instead of holding forth an Asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of Citizens all those whose opinions in Religion do not bend to those of the Legislative authority.

- “At least let warning be taken at the first fruits of the threatened innovation. The very appearance of the Bill has transformed "that Christian forbearance, love and chairty," which of late mutually prevailed, into animosities and jeolousies, which may not soon be appeased. What mischiefs may not be dreaded, should this enemy to the public quiet be armed with the force of a law?

- “Instead of Levelling as far as possible, every obstacle to the victorious progress of Truth, the Bill with an ignoble and unchristian timidity would circumscribe it with a wall of defence against the encroachments of error.

- “Because attempts to enforce by legal sanctions, acts obnoxious to so great a proportion of Citizens, tend to enervate the laws in general, and to slacken the bands of Society.

- “Because finally, "the equal right of every citizen to the free exercise of his Religion according to the dictates of conscience" [53] is held by the same tenure with all our other rights.”

Madison was even against giving government-owned land to build a church, and thought that taxes, including property taxes, applied equally to all land-owners, including churches.

We can look elsewhere. Look only at the ratification’s of the States that would leave the newly formed Constitutional Republic if religious freedom wasn’t guaranteed. New York’s and Virginia’s ratifications were conditional ratifications. They were a clear warning that they, the richest nations, along with the other five nation-states that did not want to ratify the Constitution without a Bill of Rights, would leave if their demands were not met. Without freedom FROM religion, the United States wouldn’t have gotten off the ground.

New York: “That the People have an equal, natural and unalienable right, freely and peaceably to Exercise their Religion according to the dictates of Conscience, and that no Religious Sect or Society ought to be favoured or established by Law in preference of others.”[54]

New Hampshire: “Congress shall make no Laws touching Religion, or to infringe the rights of Conscience.”

Virginia and Rhode Island: “That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, and not by force or violence, and therefore all men, have an equal, natural and unalienable right to the free exercise of religion, according to the

[53] *From the Virginia Bill of Rights*
[54] *All quotes from articles of ratification are from the Avanlon Project: http://avalon.law.yale.edu/18th_century/*

dictates of conscience, and that no particular religious sect or society ought to be favoured, or established by law in preference to others."

Thomas Paine, who inspired the American revolution with his little book, "Common Sense", had this to say about religions: "My own mind is my own church." Organized religion is "set up to terrify and enslave", to "monopolize power and profit."

How did some other famed founding fathers feel about religion?

George Washington: "If I could conceive that the general government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded, that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution."[55]

John Adams: "The question before the human race is, whether the God of nature[56] shall govern the world by [its][57] own laws, or whether priests and kings shall rule it by fictitious miracles?" And: "Thirteen governments thus founded on the natural authority of the people alone, without a pretence of miracle or mystery[58], and which are destined to spread over the northern part of that whole quarter of the globe, are a great point gained in favor of the rights of mankind."[59]

Thomas Jefferson: There are too many to list, so here are a few of the shorter ones: "Millions of innocent men, women and children, since the introduction of Christianity, have been burnt, tortured, fined and imprisoned; yet we have not advanced one inch towards uniformity." "History, I believe, furnishes no example

[55] http://www.positiveatheism.org/hist/quotes/
[56] The Declaration of Independence calls it "Nature's God". Here Adams clarifies by saying that we are part of nature rather than apart from it, which is what Madison believed.
[57] Originally read: His
[58] Again, those of the Age of Enlightenment that held the ability to reason independently as a most sacred right referred to the prevailing organized religions as superstitutions, fraught with miracles and mysteries.
[59] http://www.positiveatheism.org/hist/quotes/

of a priest-ridden people maintaining a free civil government." "In every country and in every age, the priest has been hostile to liberty. He is always in alliance with the despot, abetting his abuses in return for protection to his own."

The Declaration of Independence, penned by Jefferson, referred to "Nature's God", meaning whatever governs nature, meaning the "Laws of Nature". It specifically did not mean the Biblical God that Jefferson didn't believe in and even detested. If Jefferson had wanted to say God as he wrote the Declaration, he was perfectly capable of doing so.

These and other writings from our founders make it perfectly clear that the religious freedom portion of the First Amendment was also meant to protect America FROM religions that most of our founding fathers believed were dangerous to our hard-won freedoms.

We now live in a country where laws respecting establishments of religion are unconstitutional, so the only way to meet that constitutional obligation is to establish laws respecting establishments of religion.

You aren't the one who is crazy here!

Which is why you are now hearing the case before you. In our game testing ourselves in whether or not we are capable of participating in a government of, by, and for the people, the government has just been sued by the Freedom From Religion Foundation (FFRF), that objected to government's funding the Faith Based Initiatives as well as the related conferences of ministers that favor religions.

Freedom From Religion Foundation (FFRF):
The Faith-Based Initiative conferences of ministers favor religious organizations over non-religious charitable organizations, and thereby violate the

Establishment Clause of the First Amendment. It also sued as taxpayers who are harmed by being forced to involuntarily fund the programs. The Foundation noted that exceptions have been made for Establishment Clause (religious freedom) challenges and wanted to avail citizens of the exemptions as well.
Hein (for the government): The Foundation has no standing to sue, because the Foundation itself has not been harmed. Furthermore, the fact that individuals pay taxes to the federal government is not normally enough to give the individuals standing to challenge a federal program.

Now you be the judge. How would you have decided the case

Pausing for your deliberations

Are you able to separate your religious beliefs from the Constitution that can only guarantee <u>your</u> religious freedom for as long as you offer the same protection to your neighbors? If you can, then yes, you are very capable of participating in a government of, by, and for the people. Congratulations!

How did the Court decide in FFRF v. Hein?

In its <u>2,588 page (plus footnotes) decision</u>, the Court ruled that citizens do not have standing as taxpayers to bring Establishment Clause challenges against Executive Branch programs that are funded by Congress. Justice Alito's plurality opinion called an earlier (1967) case (Flast v. Cohen—where the court authorized federal funding for religious schools), a "narrow exception" to the general rule that taxpayer status does not grant standing to sue the government. “To extend Flast to executive actions,” the Court said, “would threaten the separation of powers by relaxing the doctrine of standing and turning federal courts into "general complaint bureaus."

Note that the Court defends the "Doctrine of Separation of Powers", as defined by the Court as the Court's having the unconstitutional authority to tell the other branches of government what they may or may not do—which is the opposite of separation of powers. The Court does so by failing to separate itself from self-assumed powers the Constitution does not grant it, thus interfering with powers specifically vested in the Congress and the people themselves. What the Court actually means when it uses words like separation of powers is that the Court holds its powers separate and above the executive, the legislative, the states, and the people. That is the Words are Magic Doctrine combined with the People are Stupid Doctrine in action.

No, you most certainly aren't the one who is crazy here! And there IS something non-violent that we can do about that.

APPENDIX:

What follows is a very harsh look at how certain Christian denominations have taken their benefits to a whole new level. Please don't get the impression that all ministries emulate these harmful practices. There are churches and ministries of all faiths dedicated to helping those who are suffering. Ole Anthony has one of those ministries. Anthony is the founder of the Dallas-based Trinity Foundation, a group of about 400 Christians, 100 of whom live communally in a rundown section of the city attempting to emulate the practices of the 1st century church right down to its poverty. Each Trinity employee, including Anthony, earns $50 per week after room and board. The organization's primary mission is to house the homeless, not in specially dedicated shelters, but in the bedrooms and living rooms of Trinity members. This appendix is not about ministries like Anthony's or the others that believe in the Golden Rule.

Let us begin by looking at how much the housing allowances of some church ministers are. According to the Orange County Register, the local newspaper for the area served by the Crystal Cathedral that was not even a mega church, those benefits are shocking. Even as the church was facing bankruptcy, not paying its vendors, and laying off 150 people, many of those who had been declared ministers still took their housing allowances and salaries. Taking information from the bankruptcy filings, (about the only way to get that information because churches are generally exempt from audits) the newspaper discovered that in the twelve months before its bankruptcy, more than $2 million in payments for housing allowances went to twenty-three people, most of whom were members of the family. One so-called minister was an accountant for the church. Jim Penner, the teaching pastor, received $87,288 (nearly 60% of his income). James Coleman (Schuller's son-in-law) received $76,526. (53% of his income). Carol and Tim Milner received $109,385. Even more offensive, Paul Dunn received $304,247 composed of $142,281 for a housing allowance plus $161,066 in vendor buildings. Dunn produced the church's two pageants (Easter and Christmas), both of which were canceled that year because of financial difficulty, meaning he didn't even have a job as taxpayers helped fund over $300,000 of his income plus, through indirect means, his salary. (The average income in America is around $50,000.)

Looking at another one of the many super-wealthy televangelists, the Joyce Meyer ministry faced a mild senate investigation at which time she agreed to take a cut in pay, and instead receive personal income from the products she sells in retail outlets while retaining ministerial income from sales at her conferences. They noted her yearly salary around $100 million, and that her ministry purchased a compound of mansions worth many millions for her and her children, giving her a sizeable tax-free housing allowance, a $10 million dollar jet (since upgraded and no where near the most expensive of some ministries' jets). The senate committee also questioned her about her lavish expenditures

furnishing her $20 million dollar headquarters. [60] She doesn't even have a church. According to her own JoyceMeyer.org website, Joyce Meyer Ministries has "9 international offices strategically located around the world, in Australia, Canada, South Africa, Russia, Ukraine, India, Germany, England and the United States. We also operate 25 field offices throughout the world."

Meyer is a prodigious book-writer. She has written over forty of them. Her DVD talks are also very popular for those who can't attend her conferences, and those who do attend buy them up. As she flits around the globe hawking her wares, using her tax-payer subsidized expense account rather than her own money, and flying in her tax-payer subsidized private jet that she also didn't pay sales taxes on, she has turned her portable store into a multinational business that sells copies of her talks, self-help books, CDs, DVDs and the like, under the cover of religion, yet we support her entrepreneurial spirit with our tax dollars. Ms. Meyer's "ministry" retains its tax-exempt status because it was not the senate's purpose to question tax-exempt status. What for-profit business or small business owner wouldn't like those advantages?

The richest ministers have multi-million dollar homes in multiple places – the fair market rental value (including utilities and maintenance) of which is deemed tax-free. They drive in their ministries' chauffeured Bentleys and Mercedes and fly on the ministry's jets as they globe trot on lavish expense accounts. At least one ministry's "parsonage" has a private air strip and hangar. Ministry-funded gardeners and servants (considered utilities and often even ministers themselves) maintain these extravagant estates. Some have ministry-funded security guards, that in the case of Meyer, lives in his own ministry-owned tax-free house on her compound.

How about the ministries that appear on TBN (Trinity Broadcasting Network).

[60] https://en.wikipedia.org/wiki/Joyce_Meyer

TBN is a ministry that owns and operates television ministries and several subsidiary ministries, each of which qualify for special benefits for religions. TBN ministries own an estimated 30 tax-free homes in the USA, at least 14 of which are in Orange County, CA. TBN sells airtime to Christian ministers and uses part of its time to advertise its Holy Land Experience theme park (another tax-subsidized subsidiary) and air a segment called "Praise the Lord" as well as movies. It is the 8th largest broadcasting network in the world, and the largest Christian broadcasting network.

Preachers appearing on TBN, rent time to preach their sermons, and sell their books, DVDs, talking Bibles, bookmarks, artwork, etc. [61] The "ministry" (rather than the ministers the ministry has declared to be ministers) is cover for the underlying business of selling products. Many of the half-hour shows begin with a commercial hawking wares, and then take another commercial break in the midst of their infomercial sermons that serve as free samples allowing them to hawk their wares before ending with another commercial and/or plea to support the ministry, perhaps offering a tangible "gift" incentive for that donation.

Others, like John Hagee Ministries, share parts of John's informercials sandwiched between commercials for books and/or CDs etc., and he will not allow you to see the whole sermon for free. Take "The Four Blood Moons", as an example. You can watch the first of the series on television or on his website, but you cannot watch the rest unless you buy it. This makes it a commercial product, not a religious product or service. (Hagee is both founder and senior pastor of the Cornerstone Church in San Antonio, plus he is President and CEO of John Hagee Ministries – his own Christian media empire. His son is both an associate pastor and a musician whose Christian music CDs can be purchased through the ministry's website.) These businesses are perfectly legal because the products

[61] Buying time on the network is not cheap. Popular televangelist Jack VanImpe left TBN and when Paul Crouch called him to ask him to return, VanImpe (who, before he died, reported in one of his broadcasts available on YouTube) that he had been offered a $1,000,000 reduction in cost if he would return to TBN, which he wouldn't. (One million dollars off the 1.5 million he had been paying for two half-hour broadcasts per week) How much are those who appear daily paying using tax-deductible dollars in this one of many "ministries"?

they sell relate to the ministry, even though unless he is talking about politics, as he too often does, you can't necessarily hear the whole sermon without paying for it. How nice for them!

It is extremely rare to get a look inside the spending practices of churches and ministries because they are not required to disclose financial information and they are rarely audited. But when a lawsuit or bankruptcy is involved, news leaks out through court documents. Then we can get a close-up of the perversion.

Staying with TBN, that was founded by Paul and Jan Crouch, news is certainly flowing out because of the many lawsuits now coming to light.

Brittany Crouch Koper, the granddaughter of the founders, had been the network's chief financial officer for a brief time. Soon after starting in her position, where she alleges that her job entailed finding ways to bypass tax laws, she found gross improprieties. She informed the Crouches that the ministry's use of funds violated IRS laws, and perhaps even State and Federal laws. She was terminated, but not before she had evidence to back up her claims. Later, she says she attended a meeting discussing what she called unlawful termination, where her uncle locked her in the room and threatened her with a gun—making sure that she understood that if she filed charges in court, the threat was meant to be understood as lethal. Paul Sr. and his son Matthew also made a YouTube video of a very thinly veiled death threat against her[62].

Ignoring the threats, Brittany filed a whistle-blower's suit against her grandparents, which is how we began to learn about what is happening at TBN. Among the charges are: misappropriating its 'charitable assets. Some of these charitable donations were directed toward a $50 million jet, 13 homes, and a $100,000 mobile home for Mrs. Crouch's dogs. She also alleged that the

[62] https://www.youtube.com/watch?v=dvcbQYKI3EE

Crouches eat $1,000 dinners served with the finest wines, all paid for with tax-deductible, taxpayer dollars.

Ms. Koper and two other former TBN employees also said that dozens of staff members, including Ms. Koper, chauffeurs, sound engineers and others who had no ministerial duties had been ordained as ministers by TBN. This allowed them (including many family members) to receive the many financial benefits conferred upon ministers of religion.

These don't even take into consideration the TBN-owned theme park "ministry" near Orlando, Florida, where Mrs. Crouch (recently deceased) spent most of her time. There she lived in her mansion where she ran the Holy Land Experience, another subsidiary of TBN. Mr. Crouch (also now-deceased) had an adjacent home there too, but rarely visited. Its occupant was often a security guard who doubles as Mrs. Crouch's personal chauffeur, paid for by the tax-exempt ministry that is paid for with taxpayer-paid subsidies.

Brittany's lawsuit followed a suit by another former employee, Joseph McVeigh. According to Mr. McVeigh's accounts filed in his lawsuit, the network used their collections for side-by-side mansions in Florida, as well as in Texas, Tennessee and California.

McVeigh alleges that the network's $50 million luxury jet was purchased through a sham loan (a way to transfer money among subsidiaries to hide improprieties), while a second jet, an $8 million dollar Hawker, was purchased for Mrs. Crouch's personal use, in violation of law. The directors received $300,000 to $500,000 in meal expenses as well as the free use of chauffeurs.

There are also many sexual allegations. The Orange County Register reported that another granddaughter of the Crouches is suing TBN for failing to report a rape she reported to her grandparents and the TBN attorney (her cousin) when she was only 13. TBN allegedly accused the young girl of asking for it, fired the

rapist, required him not to file for unemployment or make contact with TBN or the granddaughter in exchange for TBN's not reporting the matter to the police as required by law. This has been substantiated in depositions of TBN's attorney, the rapist, and the granddaughter.

Mrs. Crouch allegedly used the status of minister as payment for her desired sexual services, meaning that the ministry pays for prostitution. It's not just Mrs. Crouch though. According to the LA Times reporting on other court cases, TBN paid Mr. Enoch Ford $425,000 in hush money after he signed a non-disclosure agreement to keep secret a homosexual affair that he and Mr. Crouch were having during and after their time together at a drug and alcohol rehabilitation facility. Ford then decided that wasn't enough, so he wrote a book about the affair and attempted to blackmail Mr. Crouch again, now wanting ten million dollars. Crouch was forced to use the court to get an injunction to stop publication of Ford's book based on his now-known non-disclosure agreement, which is how that story made it into the news. Furthering that story, Ms. Koper's suit also accuses the network of using the ministry's funds as hush money to cover up its various sex scandals, according to the LA Times' review of the suit.

The Crouches, always cozy on the air, gave the impression that they loved one another, and they might have. They didn't live together however, and hadn't for a very long time, which meant that each of the Crouches (plus their dogs) needed their own homes. One home in Newport Beach Hills is described as a "a palatial estate with ocean and city views." The house has six bedrooms, nine bathrooms, a billiard room, a climate-controlled wine cellar, a sweeping staircase and a crystal chandelier. The three-story, nearly 9,500-square-foot house, which has an elevator, also has a six-car garage, a tennis court and a pool with a fountain.

Through all of this, Mr. And Mrs. Crouch or one of their sons[63] still appeared regularly on their television program, "Praise the Lord", begging for money,

[63] The disinherited and severed all contact with Brittany's father immediately after they fired Brittany.

encouraging people to remember TBN in their wills (offering free legal help to do so) while speaking of being thrifty and budget-conscious. The Crouch's claim to own almost no assets. That's probably true. The "ministry" owns the assets, and they own the ministry, so they don't need to own much.

Since the TBN law suits, major and highly-respected newspapers have assigned investigative journalists to probe into TBN affairs. Exposés detailing this and more outrageous spending habits have appeared in the NY Times, LA Times, the Orange County Register, and the Orlando Sentinel (and other reputable sources from which most of this information came) to name only a few. The scandalous couple has even made headlines internationally. (Daily Mail UK for instance.)

Brittany says that she reported the matter to the IRS. Apparently whoever is opening the mail at the IRS never sent the complaint to a high-level treasury official, because there doesn't appear to be any audit forthcoming.

Other "prosperity gospel" preachers with televised ministries openly brag about their fancy cars, houses, and custom private jets insisting that the most vulnerable send money to the ministry (rather than homeless shelters or food banks) because those ministers are "anointed" and because of that, God will multiply the seed and give a greater return on their investment. For some reason, the seed money works best starting at the $1,000.00 level and increases proportionately with the amount, but any amount will work. Prosperity gospel pastors like Mike Murdock urge seniors and others who don't have enough to survive, to do something that few others would dare suggest. They suggest that they send in their life savings, use their credit cards, take out mortgages on their homes, or borrow money from friends or relatives so they can plant their seed.

To "prove" that they are annointed, Murdock and others boast of their great excesses, silently admitting to using donations to fund those excesses. On one program, Murdock boasted that he bought a beautiful Cessna Citation for cash, and three weeks later bought another one, even nicer, for three times more than

that – in cash. (Ministries pay no sales taxes on their expensive toys. The sales tax on a Seattle-made Cessna is nearly 10%, and a single jet, depending on its size and use, can cost up to four million dollars per year to operate.) All of this is free to the clergy, and is paid for with tax-payer subsidized dollars. These are the types of ministries that Anthony Ole's ministry tries to expose. His church deals with the fallout of those made homeless because they sent the last of their money to prosperity gospel preachers who promised them a financial harvest.

These ministries have every appearance of fraud, but according to another law respecting establishments of religion, one only has to "profess" sincere belief. One doesn't have to actually have those beliefs.

All of this is what we are paying for as taxpayers subsidize decadent lifestyles in the name of protecting religions in order to protect religious freedom for the few while forcing the many to pay for the very religions that provably cause horrific social problems and impose great collateral expense on all of us. The amount of taxpayer subsidies going to religious organizations has skyrocketed. According to the Orange County Register, a newspaper that covered the TBN and Crystal Cathedral scandals, religious subsidies in America is conservatively estimated to be at AT LEAST 71 billion dollars per year and rising.

Isn't it about time to get religion out of our wallets and our government and get government out of religion, so that we can start honoring the First Amendment?

Chapter 9

The story of Fred Korematsu[64]
With a must-read Appendix

He appears mad indeed but to a few, because
the majority is infected with the same disease.
Quintus Horatius Flaccus aka Horace

In 1902, Ivan Pavlov realized that dogs began salivating when he entered the room, whether he was bringing them food or not. He found this curious and started thinking about it. He began with the idea that there are some things that a dog does not need to learn. For example, dogs don't learn to salivate whenever they see food. This reflex is hard wired into the dog. Then Pavlov discovered that any neutral object or event could trigger the dogs to salivate. If he consistently rang a bell at meal time, the dogs began salivating at the ringing of a bell. At that point he realized that he had made an important scientific discovery. Pavlov won a Nobel Prize for his work.

This may come as a surprise, but we have been similarly and intentionally conditioned—though not to salivate upon the ringing of a bell. We have been conditioned to be shown the flag or hear patriotic music (preferably in combination and with the addition of the mention of God) in order to automatically shift us into the Patriotism Response. Every time our government uses symbols we learned to associate with the patriotism response, unless we recognize what is happening, we immediately and willingly give up our freedoms so that government can use that power to protect us from the threat that IT says we face, whether or not there is a legitimate threat. It is a conditioned response. That's why presidents stand in front of flags and say "God bless America" when they want us to trust them or to be afraid. That's also why entertainment news

[64] Taken from the Korematsu Institute for Civil Rights and Education (KorematsuInstitute.org)

stations sensationalize threats. Fear blocks reason, so fear is an essential part of our automated conditioning.

We practiced switching on the Patriotism Response over and over and over again in our mandatory pubic schooling where we learned our civic responsibilities. Daily, we recited the pledge of allegiance to the "flag" rather than the Constitution. Many of us hid under desks and in hallways as we learned to fear nuclear annihilation. We learned patriotic songs. We learned that America is the land of the free and the home of the brave and we were so very proud of the exceptional status that gave us. We were better than any other country on earth. We associate all of that with our flag that does not represent our Constitution. By now it is such a natural and automatic switch that few people recognize themselves doing it when it is elicited. The weaponization of education is why you have been conditioned. The reason why you were unable to recognize that the Supreme Court doesn't come close to rendering Justice and that our Constitution is no longer our governing document is because of the weaponization of education. Fearing reading the Constitution and comparing it to life or even Supreme Court decisions was part of your conditioning. We have been conditioned to look the other way.

The Patriotism Response is exactly like the "Praise God" response that guided the crusaders through Europe and as "Allahu Akbar" inspires ISIS through the world. They were certain that murder and mayhem done in the name of Jesus or Allah could be the only way to prove their love and loyalty to God who needed and appreciated their butchery. Many churches in America display an American flag, merging two automated responses, as they sing hymns like "God bless America", The Battle Hymn of the Republic, and "America the Beautiful" on or near patriotic holidays. Some bring in orchestras to play the music of each branch of the armed services around the 4th of July in spite of Jesus teaching to love your enemies.

You can see your conditioning in your everyday life as politicians stand before flags and use fear to motivate you to distrust your neighbor or vote for a particular policy or candidate. The Patriotism Response inspires hate. Fear is absolutely the best motivator for a people who confuse artificial or manufactured threats with very real ones. Anger works as well. Put the two together and at that point, the response is very predictable. People will not ask relevant questions. They will believe what they are told, just as they have been conditioned to. Minds shut down, just as we have learned to shut them down. Governments throughout the ages have known this.

Herman Göring, the second-most powerful man in Nazi Germany, explained the Patriotism Response during an interview in the course of the Nuremburg Trials. He was asked why the German people wanted war. His reply: "Why would some poor slob on a farm want to risk his life in a war when the best that he can get out of it is to come back to his farm in one piece? Naturally, the common people don't want war; neither in Russia nor in England nor in America, nor for that matter in Germany. That is understood. But, after all, it is the leaders of the country who determine the policy and it is always a simple matter to drag the people along, whether it is a democracy or a fascist dictatorship or a Parliament or a Communist dictatorship."

Interviewer: "There is one difference. In a democracy, the people have some say in the matter through their elected representatives, and in the United States only Congress can declare wars."

Göring: "Oh, that is all well and good, but, voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them they are being attacked and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same way in any country."

That is the result of intentional conditioning, and it explains a lot about us. It's not just Americans who have been conditioned in this way. We took our

educational system from Prussia (pre Nazi Germany). That's why Germany, with a 93% Christian population according to its 1939 census, was willing to violate its most sacred values to participate in the Holocaust. Germans look back at what they did with horror and wonder, not understanding how they could have agreed to participate in such barbarity. They don't know the history of their own public schooling system. If they did, they wouldn't wonder. The same thing is true around most of the world since the idea of conditioning through public schooling is recognized as being so incredibly successful.

Because the Supreme Court case we will look at in this chapter is centered in World War II, and it includes the Patriotism Response, this is a good time to learn why we actually involved ourselves in the war in order to see what the Patriotism Response did to Americans.

Until a debt-funded money-based economy is too near death, economists tell us that the best way to end a depression is to borrow one's way out of it (as if that makes any sense to anyone other than an economist). A major war would accomplish that better than anything else known to man. However, one has to look at how "The final solution" came about, the workings of the international banking cartel, and what Hitler did to get Germany out of its depression years before any other country did, to understand what President Roosevelt was up to as he allegedly worked to end the Great Depression in America while keeping us out of the war he purposefully got us into.

FDR is on record admitting to a conspiracy. He wrote a letter to Colonel Edward House in which he said: "The real truth of the matter is, as you and I know, that a financial element in the larger centers has owned the government ever since the days of Andrew Jackson, and I am not wholly excepting the administration of W.W. (Woodrow Wilson.) The country is going through a repetition of Jackson's fight with the Bank of the United States—only on a far bigger and broader basis."

Most people are unaware that Hitler offered to ship all German Jews on cruise ships to any country that would take them. No one would take them, though the tiny nations of The Netherlands and Denmark agreed to take a sizeable number relative to the land mass of their countries. At the Evian Conference, set up by Roosevelt and Churchill, to talk about what to do about the Jewish problem, the USA and Britain spoke first and they refused any refugees. This led other countries to refuse them as well. The Catholic Church would not end its anathema against the Jews until 1964, and Europe was heavily Catholic thus anti-Semitic. America was extremely anti-Semetic until the civil rights movement (1960s and 70s) that came well after the war, at which point Jews finally received equal treatment under the law. When the largest part of the world refused to take them, having already been told what would happen to them if the Jews weren't moved out of Germany, those governments became complicit in what is today known as the Holocaust. America and most of Europe are no less guilty for the Holocaust than Germany. We just outsourced the depravity and cover our shame with promulgated hate of Hitler using the Patriotism Response.

Most people are also not aware that Hitler said that he wouldn't declare war if Germany could have its lands back. Most of its land was taken from it in the incredibly corrupt and knowingly unmeetable terms of the Versailles Treaty that ended World War I and led to World War II and the rise of a Hitler.

Largely because of the unconscionable Versailles Treaty combined with the Federal Reserve causing the Great Depression, the Weimar Republic experienced hyperinflation. When the Wall Street Crash came in 1929, Germany spiraled into debt in order to pay unpayable war reparations. It reached the point where ten billion marks would not buy a loaf of bread.

With its economy in shambles and Germans dying in the streets from hunger and exposure, Hitler rose to power. By that time, so much real estate was in foreclosure that banks owned more of Germany than the German people. Banks in Germany were virtually entirely Jewish owned at the time. Non-Jewish

Germans were mostly agrarian, but Jews controlled the entire financial sector, near-exclusive ownership of newspapers, department stores, and the professions. Jews were the shadow government because they could force government to do its bidding. They also had a strong ethic of Jews taking care of Jews. Hitler rose to power with the help of the pope (of the openly anti-Semitic Catholic Church) who agreed to shut down the Catholic Center party to give Hitler a clear run. In exchange, the Catholic Church received a monopoly on education in Germany (where the Catholic version of the Praise God/patriotism response would be conditioned into children).

Hitler put the German people back to work. Germany shut out the central banks and government printed its own money. It invested that money in infrastructure like roads and bridges, and a Volkswagen factory to put people into cars they could afford. Within two and a half years, Germany went from a broken economy to the strongest in the world. It had zero percent unemployment. After years of finding starved and frozen bodies on front porches and on sidewalks, there was a chicken in every pot. Unlike other nations around the globe, where crops rotted in the fields because too few had enough money to buy the food, farming was prospering in Germany. In other countries, where factories closed because cotton and rubber were too expensive to buy, Germany opened factories to create products like synthetic rubber and synthetic fabrics. Without the international banking system in place, Germany was prospering even as most of the rest of the world was still enveloped in, and not yet even beginning to recover from, the Great Depression.

Germany then began doing something that Italy had already done. It began trading goods for goods without the use of credit, saying: "Germany will enter into no more obligations to pay for her goods imports than she is capable of fulfilling. The German Government thus takes the standpoint of the respectable merchant, who keeps his orders in harmony with his power to pay." [65].

[65] Uncovering The Forces For War [Conrad K. Grieb], pg 79 plus Citadels Chaos [C. C. Veith], page 81,

In 1937, two years before the start of WWII, he said: "We laugh at the time when the value of a currency is regulated by the gold and securities lying in the vaults of a State Bank; and more especially we laugh at the theory that its value was guaranteed thereby. We have instead come to learn that the value of a currency lies in the productive capacity of a nation"[66]

Recognizing how Germany climbed out of the depression, Russia also began trading without involving banks. Other European countries were taking notice of and starting talking about how that one simple step brought the depression that the American Federal Reserve started to an abrupt end. The entire international banking system that made the rich wealthy and the poor hungry and homeless, and put banks in charge of controlling governments around the world, found itself under the spot light. The picture wasn't pretty. Some European government leaders were waking up—coming out of their own delusions.

In his book, "Uncovering The Forces For War", Conrad Grieb words it this way: "The world financial monopoly stood aghast. If Germany succeeded in her plan of economic penetration, other nations might follow her example. The whole world would then exchange goods for goods on a basis of equality and good fellowship! No one would want to borrow, and the financial pyramid of debt, from the apex of which Almighty Finance ruled the world, would collapse! Humanity would be well fed, but the financiers would lose their power."[67]

Only the strongest dose of the Patriotism Response would shake Americans out of their unwillingness to involve America in the European war. So Roosevelt, while claiming to want to keep us out of the war, began plotting our way into the war, using fear and the patriotism response to cover what he was up to.

[66] Uncovering The Forces For War [Conrad K. Grieb], pg 79
[67] ibid.

A more complete list of what he did is added in Appendix One to in this chapter. What appears here is the most basic.

Without Congressional consent, Roosevelt ordered ships at sea to fire on any German vessel that passed the 26th longitude (near the eastern edge of Greenland), effectively cutting off its trade with South America if caught. In spite of these attacks, Germany didn't fight back. Hitler wanted to keep America out of the war.

Recognizing that Germany would have no choice but to engage in war with America if Japan attacked us, because of its pact with Japan, he started antagonizing Japan.[68] FDR froze all Japanese assets in America. Britain and the Dutch East Indies quickly followed suit. The result: Japan lost access to three-fourths of its overseas trade and 88 percent of its imported oil. When Japan didn't fight back, FDR ordered our ships to drop anchor in Japanese territorial

[68] Two books have recently been published that provide amended histories based on documentary evidence rather than the lies we have been told. The first is "Day of Deceit", written by journalist Robert Stinnett, using documentary evidence found through sixteen years of research and Freedom of Information requests. The second, that came out two years later, was written by former president Herbert Hoover. That book is titled "Freedom Betrayed" based on exhaustive documentary evidence. Both tell a strikingly similar story, with a story line opposite the one we thought we knew.

Roosevelt was actively working outside of the law in attempts to get both Germany and Japan to attack us. In both books, he is portrayed as Machiavellian. In Stinnet's book, he claims that of the 200,000+ pages reviewed, he found evidence that prove that Japanese military codes were broken, and the Defense Department knew the day before Pearl Harbor that the Japanese fleet was on its way and that Pearl was the target. He questions how Roosevelt could not have known about it, and why Pearl Harbor, that intercepted the messages, and the Philippines were not informed.

This is further supported by Roosevelt's Proclamations 2525, 2526, and 2527, where he gave himself permission to imprison Japanese, Germans, and Italians. One is dated December 7 (Pearl Harbor Day) and the others on the 8th (three days before we declared war on Germany and Italy.

Stinnet, who is a research fellow at The Independent Institute writes: "Immediately after Day of Deceit appeared in bookstores in 1999, NSA began withdrawing pre-Pearl Harbor documents from the Crane Files housed in Archives II. This means the government decided to continue 60 years of Pearl Harbor censorship. As of January 2002, over two dozen NSA withdrawal notices have triggered the removal of Pearl Harbor documents from public inspection." http://www.independent.org/newsroom/article.asp?id=127)

Apparently government has a pressing interest in abridging freedom of the press. In an interview at the Independent.org site, he explains that three cryptologists with known ties to the NSA refuted his claims. Stinnett put in Freedom of Information requests to see if those who were telling lies about his findings were being paid by the federal government to do so. His requests were denied. He also says that all of the mainstream networks have refused to mention his book, even though it ran as a best seller in the non-fiction market after its release.

waters, saying that he didn't mind losing a few battleships (He didn't mention the men on those ships.)

Then, in a moment of depraved indifference so great that some might call it evil, when America (now provably) intercepted Japan's communications that announced its intent to attack Pearl Harbor, he did not notify the commanders at Pearl Harbor and did not notify the Philippines. He knew when and where the attack on the US would be, and did not disperse the fleet or order the men off the bases for their own protection. For his plan to work, Japan had to attack us because it was the only way to put the people into a fervent enough patriotic mindset to make them want to go to war against the German fascist enemy they had been learning about with his help.

FDR would stop at nothing to save the international banking cartel that holds us hostage to this day. America would incur so much debt to finance the war that we would never be able to climb out from under the control of the banks. The idea of countries around the world taking the power of creating the State's money away from the private banks in order to end the depression could not be allowed to spread. In fact, the American people could not be allowed to even hear about it. Americans who were still deeply entrenched in the Great Depression did not even know that Germany had long ago escaped it.

And so we went to war under false pretenses, as we always do when the Patriotism Response is elicited. As Americans went around feeling good about themselves for defending freedom against the threat of fascism, we were actually defending fascism from the threat of freedom.
That's the American delusion in operation.

Bank-arranged World Wars I and II left us with over 100 million casualties. Estimates for war casualties of the 20th century are 175 to 180 million. Wars are good for banks. Not only do wars require a build-up of armaments for which countries that don't create their own currency need to borrow, but they also

create a need to borrow to rebuild after the wars. The dead, injured, and displaced are merely collateral damage.

We participated in all of that because of the Patriotism Response that made us gullible, when reason and a few hard-hitting questions would have kept us out of the war. Instead, the American people fought the Nazis they were encouraged to hate with a vengeance, along with their detestable nationalist socialist government. The propagandized hate and fear in America was so intense that patriotic good and honest Americans didn't even realize that FDR used the war to turn this country into a national socialist country (Nazi i.e. Fascist), laughing as he did so. Our conditioning did that to us. It, along with censorship and monopoly of the press, blinded us to what was going on. It made us throw out the values we espouse and falsely believe that we hold too dear to release.

In that war, America did some incredibly heinous things, doing much of what Germany did, and these things were done out in the open without objection by the American people. We didn't see that we were doing as the Nazis did even as we criticized them so harshly. We told ourselves that we are somehow better because we are American. Germany's actions are unjustifiable whereas ours are both justifiable and necessary. All of that is because of the conditioned Patriotism Response.

We are so accustomed to switching into Patriotism mode that those who haven't learned to recognize it happening in themselves are easily guided by government handlers, and there is an entire department in our military (Black PSYOP: black psychological operations) dedicated to handling us when called upon.

We must learn to catch ourselves when we swing into Patriotism mode, because it makes us do terrible things to one another without our being fully aware of just what we are doing. Fear blocks reason. All intense emotions do. But when we reason together, reason blocks fear and we cannot be manipulated into wanting to do things we find unethical. That is our safety in a government of, by, and for

the people. Awareness of that is how we can rebuild trust in our communities, even if we disagree about certain particulars of any given political matter. Without fear, we can reason through the problems and arrive at consensus. It really works. That is what the mind is for.

This chapter may be hard for an "American Patriot" to read, but as we all know, the truth shall set us free. So let us look at truth.

After the attack on Pearl Harbor, Roosevelt signed Presidential Proclamation 2525. At that point, local and federal officers, under the direction of FBI director J. Edgar Hoover, started rounding up first generation Japanese American citizens. Within forty-eight hours, 1,291 were in custody. These people were never charged with anything, and were denied any visitation by family. Most would spend all of the war years in "enemy alien" concentration camps. Ironically, these camps were run by the Justice Department.

Immediately after Pearl Harbor, Fred Korematsu, an American citizen, was caught up with the rest of the country's patriotic zeal. He tried to enlist in both the National Guard and the Coast Guard. He was rejected by both because of his parents' national origins.

Korematsu then trained to become a welder and found a job as a shipyard welder helping the war effort. He quickly rose to the position of foreman. One day Korematsu found a notice to report to the union office, where he was fired due to his Japanese ancestry.

On February 19, 1942, President Roosevelt signed Executive Order 9066[69]. That order authorized the Secretary of War to designate any areas he thought fit, as military areas, and to remove perceived threats to various locations that the Secretary, or his military commanders, see fit to establish.

[69] http://www.ourdocuments.gov/doc.php?flash=true&doc=74&page=transcript

These concentration camps (as Roosevelt called them) were horrible places. Many were in barns at fairgrounds, with each family being assigned a stall. Those who did not have families were assigned stall-mates. The camps were placed in areas as different from the lush California coastal landscape is as the earth is from the moon. Most were in deserts that were too hot in the summer and too cold in the winter, and the residents had not been allowed to carry enough provisions into these camps. The hope was that these concentration camps would become self-sustaining, an impossible dream.

The evacuation order that Mr. Korematsu saw, reads:

WESTERN DEFENSE COMMAND AND FOURTH ARMY WARTIME CIVIL CONTROL ADMINISTRATION

Presidio of San Francisco, California
April 1, 1942

INSTRUCTIONS TO ALL PERSONS OF JAPANESE ANCESTRY

Living in the Following Area:

All that portion of the City and County of San Francisco, lying generally west of the of the north-south line established by Junipero Serra Boulevard, Worchester Avenue, and Nineteenth Avenue, and lying generally north of the east-west line established by California Street, to the intersection of Market Street, and thence on Market Street to San Francisco Bay.

All Japanese persons, both alien and non-alien, will be evacuated from the above designated area by 12:00 o'clock noon Tuesday, April 7, 1942. (only six days later).

No Japanese person will be permitted to enter or leave the above described area after 8:00 a.m., Thursday, April 2, 1942, without obtaining special permission from the Provost Marshal at the Civil Control Station located at:

1701 Van Ness Avenue
San Francisco, California

The Civil Control Station is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advise and instructions on the evacuation.

2. Provide services with respect to the management, leasing, sale, storage or other disposition of most kinds of property including real estate, business and professional equipment, household goods, boats, automobiles, livestock, etc. 3. Provide temporary residence elsewhere for all Japanese in family groups.

4. Transport persons and a limited amount of clothing and equipment to their new residence as specified below.

The Following Instructions Must Be Observed:

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone must report to the Civil Control Station to

receive further instructions. This must be done between 8:00 a.m. and 5:00 p.m., Thursday, April 2, 1942, or between 8:00 a.m. and 5 p.m., Friday, April 3, 1942.

2. Evacuees must carry with them on departure for the Reception Center, the following property:

a. Bedding and linens (no mattress) for each member of the family.

b. Toilet articles for each member of the family.

c. Extra clothing for each member of the family.

d. Sufficient knives, forks, spoons, plates, bowls and cups for each member of the family.

e. Essential personal effects for each member of the family.

All items carried will be securely packaged, tied and plainly marked with the name of the owner and numbered in accordance with instructions received at the Civil Control Station.

The size and number of packages is limited to that which can be carried by the individual or family group.

No contraband items as described in paragraph 6, Public Proclamation No. 3, Headquarters Western Defense Command and Fourth Army, dated March 24, 1942, will be carried.

3. The United States Government through its agencies will provide for the storage at the sole risk of the owner of the more substantial household items, such as iceboxes, washing machines, pianos and other heavy furniture. Cooking utensils and other small items will be accepted if crated, packed and plainly marked with the

name and address of the owner. Only one name and address will be used by a given family.

4. Each family, and individual living alone, will be furnished transportation to the Reception Center. Private means of transportation will not be utilized. All instructions pertaining to the movement will be obtained at the Civil Control Station.

Go to the Civil Control Station at 1701 Van Ness Avenue, San Francisco, California, between 8:00 a.m. and 5:00 p.m., Thursday, April 2, 1942, or between 8:00 a.m. and 5:00 p.m., Friday, April 3, 1942, to receive further instructions.

J. L. DeWITT
Lieutenant General, U. S. Army
Commanding

This order gave Japanese Americans less than a week to dispose of their homes, pets, cars, animals, and businesses. Those who could find buyers sold them for trifling amounts, not believing that they would ever see them again. Those that couldn't be sold because of the sheer numbers of homes and businesses suddenly on the market, were abandoned. We were doing to these people what we already knew that the Nazis were doing to the Jews, yet we rejoiced in what we were doing. They were wrong but we were right.

Patriotic music was playing on radios, those going off to fight were called the heroes, and pacifists were being denounced, just as Hermann Göring said they would be when a people are being led to war. We followed the pattern, even to the point where pacifists were being attacked and we did to others as Germany did to its unwanteds.

The Patriotism Reponse was in full gear. The threat had been defined and the pacifists (conscientious objectors) were being denounced. Here are some of the problems that conscientious objectors faced: [70]

Constientious Objector (CO) Martin Ponch trained as a firefighter at a CPS (Civilian Public Service) camp. He relates how "We woke up one morning to find out Plymouth had burned down and they never called the men from the camp... They were willing to let 1/3 of their town burn down rather than let those damn COs come out.

Louise Brown's husband was in the San Dimas CPS camp in Southern California. She says that "When I looked for jobs they'd ask what my husband did and I'd say he was a CO. I was literally cursed and kicked out the door. I learned to say my husband worked for the Forest Service."

Back in San Francisco, Mr. Korematsu read the evacuation order, but as an American citizen, he believed he had rights. He chose to defy the order. He underwent minor plastic surgery to change the shape of his eyes. He also changed his name to Clyde Sarah and claimed to be of Spanish and Hawaiian descent.

The ruse didn't work. He was arrested and put in jail only months later. With the help of the American Civil Liberties Union, Korematsu sued and the case made its way through the courts.

As it went through the courts, there was more going on that too many of today's Americans don't know about. National Security is the given reason why this information has been kept secret for years. If the story thus far sounds dark, the story gets darker.

[70] http://www.pbs.org/itvs/thegoodwar/ww2pacifists.html

At J. Edgar Hoover's direction, American agents went into Mexico, and many South American countries where they kidnapped Japanese looking people at gunpoint. Many of these abductees were second and third generation citizens of their respective countries. They spoke no Japanese and had no ties with Japan. These abductees were put on DC3 planes with boarded windows, or on boats, and were not told where they were going. They were going to concentration camps in America. According to the National Archives, the number of abducted Central and South American prisoners was 6,600.[71]

At the request of many victims of this dark time, a House subcommittee held hearings to restore the seemingly forgotten history to the American memory. The meeting was held in 2009. House representative Zoe Lofgren (Chairwoman of the Subcommittee) began the meeting by relaying the terrifying story of Art, who was abducted as a boy with his family. She then continues: [72]

" There are hundreds of other internees from Latin America who can tell similar stories about the fear endured while being led out of their home at gunpoint, about the trauma of a 21-day boat ride from Peru to New Orleans and of the humiliation of being forced to strip naked upon arrival in the U.S. and sprayed with insecticides. Others can share vivid accounts of living in the squalor of an internment camp barrack, the emotions of being a "stateless" person facing language barriers and having to traverse the federal bureaucracy to obtain legal resident status, and about the heartbreak of being permanently separated from a family member. This is the reality thousands of Japanese Latin Americans faced. ... The U.S. government orchestrated and financed this operation with the intention of using these individuals as hostages in exchange for Americans held by Japan. Over 800 people, some who were second or third generation Latin

[71] From the National archives: "By the end of the war, over 31,000 suspected enemy aliens and their families, including some Jewish refugees from Nazi Germany, had been interned at Immigration and Naturalization Services (INS) internment camps and military facilities throughout the United States. http://www.archives.gov/research/immigration/enemy-aliens-overview.html

[72] Minutes from House Hearing, 111 Congress posted by the U.S. Government Printing Office titled "TREATMENT OF LATIN AMERICANS OF JAPANESE DESCENT, EUROPEAN AMERICANS, AND JEWISH REFUGEES DURING WORLD WAR II, March 19, 2009.

Americans and had no familial or linguistic ties to Japan, were used in two prisoner of war exchanges."

Grace Shimizu, director of the Japanese Peruvian Oral History Project and the daughter of a Japanese internee from Peru, gave testimony at the hearing:

"We are also learning that such wartime experience of civil and human rights violations was not limited to persons of Japanese ancestry. German and Italian communities in the US and Latin America were also swept up in this turmoil. Following the Japanese military attack on Pearl Harbor, over one million immigrants in the German, Italian and Japanese American communities in the US became "enemy aliens" [73] overnight. From about 19 Latin American countries, over 200 persons of Italian ancestry and over 4,000 persons of German ancestry, including 81 Jewish refugees, were seized and deported to the US for internment. In total, over 31,000 enemy aliens of German, Italian and Japanese ancestry in the US and from Latin America were apprehended and detained. Many thousands of them were interred for reasons of 'national security" in over 50 facilities run by the US Department of Justice and the US Army, which were different from the War Relocation Authority camps where Japanese Americans were incarcerated."

Daniel Masterson, professor of Latin American history at the U.S. Naval Academy shed even more light on the plight of these victims:

"Most significantly, before entering the United States these deportees were compelled to turn over their passports to U.S. officials. They thus entered the United States as "illegal aliens" making them subject to deportation [to wherever] once their internment in the U.S came to an end. When the vast majority of their former Latin American nations refused to allow them to return after the War,

[73] "Proclamation No. 2525" issued 12/7/41.

these detainees became 'stateless', and unwilling refugees, who were powerless to prevent their deportation to devastated post-war Japan."

These stories give us a clue as to how much mass hysteria prevailed throughout the U.S. The patriotic hysteria was stoked by FDR, who was still trying to help the banks recover from the Great Depression by increasing the price of goods and services and building armaments to force Americans and businesses to borrow again. Today we simply bail the banks out, but such things would not have been possible to get through Congress then. Instead, we bailed out the armaments companies.

It was in this highly motivated patriotic delusion that Mr. Korematu's case went through the appeals process. It was in this environment that the United States government lied to the courts. And, it was in this environment that Mr. Korematu's case finally appeared before the Supreme Court.

The case is now before you. Was Mr. Korematsu's arrest and criminal guilt for ignoring an evacuation order Constitutional? Remember, that to render a fair verdict, you must not allow your emotions, or allow your sympathy with the times to cloud your judgment. You must base your decision on the actual wording of the Constitution as it existed at the time.

Pausing for discussion

If you understand that the Constitution is the law of the land, and we can only be a government of, by, and for the people if we know what the Constitution actually says, and what the government is actually doing, then you will know how to decide this case.

What parts of the Constitution were ignored at this time, and what was used to justify this exception to the written law of the land? Our founding fathers (the

anti-federalists) knew what they were doing when they insisted on the Bill of Rights, but it's not just the Bill of Rights that were destroyed.

If you favor these evacuations, then you favor loss of all your protections in the Constitution:

ARTICLE I, SECTION 9, PARAGRAPH 3: *No Bill of Attainder or ex post facto Law shall be passed.*

- A bill of attainder is the act of a legislature declaring a person or group of persons guilty and punishing them without a trial, as happened here.
- Ex Post Facto laws are laws passed after the fact, such as, in this instance, persons who were born to the wrong parents and were U. S. citizens, were suddenly enemy aliens after the fact.
- Both provisions were "evacuated" from the constitution

AMENDMENT I: *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.*

- Freedom of Religion: Violated. The Japanese Shinto religion was prohibited in the camps. Christianity was officially encouraged. Buddhist texts were contraband and Buddhist clergy were kept in a separate camp so as not to have access to their parishioners.
- Freedom of speech: Violated. Japanese language was prohibited
- Freedom of the press: Violated. Camp newspapers censored.
- Freedom to petition government for redress of grievances: Violated. Those Japanese Americans who did dare petition for redress, were labeled "troublemakers" and sent to isolation camps.

AMENDMENT II: *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.*

- You saw on the evacuation notice that no weapons were allowed. Mr. Korematsu was not allowed to enter the U. S. Military.

AMENDMENT IV: *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

- Fear that those of Japanese ancestry had shortwave radios, caused homes and businesses to be searched without probable cause or warrants.
- By giving huge groups of people a few days to arrange for relocation plus sell their homes, businesses, cars, and animals, they were essentially forced to give them up. It was a policy of tacit seizures which is exactly what Germans did to the Jews.

This is the amendment that should have prevented the NSA from doing all that it is doing today, regardless of how many times legislators tell us that no one looks at the information they went to great lengths to unconstitutionally collect.

AMENDMENT V: *No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*

- These people were not in the land or naval forces, or in the Militia.
- Liberty, property, and sometimes lives were taken without due process of law.

AMENDMENT VI: *In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.*

- Japanese, Italian, and German Americans had no right to a trial. They were never informed of what they did, other than be born to parents with the wrong ancestry. They were denied the assistance of counsel or an opportunity to defend themselves.
- Mr. Korematsu was not permitted to see the evidence being used against him.

AMENDMENT VII: *In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.*

- The property stolen from these people was in each instance in excess of twenty dollars, and no one was allowed a trial.

AMENDMENT VIII: *Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted*

- Bail wasn't excessive. It was denied. The entire evacuation was a form of cruel and unusual punishment.

AMENDMENT IX: *The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*

- This means that there are some rights that are so fundamental to a person that they cannot be taken away, as they were in this instance.

AMENDMENT X: *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.*

- This says that government has no power unless granted it by the constitution. Concentration camps for non-combatant American citizens are not authorized by the Constitution.

AMENDMENT XIII: *Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.*

- Prisoners were denied their freedom, and were required to help provide for their own support.

AMENDMENT XIV: Section 1: *All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

- No state objected to what was going on within its borders. This amendment cannot be voided just because of a war.

AMENDMENT XV: *The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude*

- The right to vote in public elections: Denied. They were prohibited from returning home to vote at their place of residence. No provisions were made to enable them to vote absentee.

If you support the involuntary "evacuations" of honest hard-working people of certain groups, then you must ask yourself what associations, both direct and indirect, you have that would qualify YOU for evacuation if government ever used the Patriotism Response to get a majority of people to think of your group as a danger. These associations may be perfectly innocent, but when the intentionally orchestrated Patriotism Response sparks the passions of a nation that then work against American citizens, when fear provably blocks people from being able to use reason, it can be anything. One look at the NSA and the nation's "fusion centers" should convince you of that and the danger it puts you in. These fusion centers issue warnings about potential threats to the USA.

Have you given money to or attended a rally by a peace group, an anti-abortion group, a fundamentalist Christian group, a Muslim charity, or an ecology group? What color is your skin? What is your political affiliation? Are you a Libertarian or a supporter of a third party? What bumper stickers are on your car? Are you a university professor or a student activist? Are you a union organizer or community organizer? All of this data and MUCH more, complete with images for facial recognition software and voice recordings for voice recognition, is mined and collected, to be used against you should government declare a national emergency worthy of suspending all of YOUR Constitutional safeguards.

How did the Court rule in the case of Mr. Korematsu?

"It is said that we are dealing here with the case of imprisonment of a citizen in a concentration camp solely because of his ancestry, without evidence or inquiry concerning his loyalty and good disposition towards the United States. Our task would be simple, our duty clear, were this a case involving the imprisonment of a loyal citizen in a concentration camp because of racial prejudice. Regardless of the true nature of the assembly and relocation centers…we are dealing specifically with nothing but an exclusion order. To cast this case into outlines of racial prejudice, without reference to the real military dangers which were presented, merely confuses the issue." (The Court decreed as it confused the issue.)

Mr. Korematsu's conviction was affirmed.

In his dissent, Justice Jackson said: But once a judicial opinion rationalizes such an order to show that it conforms to the Constitution, or rather rationalizes the Constitution to show that the Constitution sanctions such an order, the Court for all time has validated the principle of racial discrimination in criminal procedure and of transplanting American citizens. The principle then lies about like a loaded weapon, ready for the hand of any authority that can bring forward a plausible claim of an urgent need.."

.....

You may be wondering what happened to Mr. Korematsu.

Korematsu maintained his innocence, but his U.S. Supreme Court criminal conviction had a lasting impact on his ability to find work.

In 1980, President Jimmy Carter appointed a special commission to instigate a federal review of the facts and circumstances around the incarceration of Japanese looking Americans during World War II. In June 1983, the Commission on Wartime Relocation and Internment of Civilians concluded that the decisions to remove those people of Japanese ancestry to U.S. concentration camps occurred because of "race prejudice, war hysteria, and a failure of political leadership." Today these concentration camps are called prison camps because we don't like to think of ourselves as having established concentration camps around the country. That's what the Nazis did and we like to think of ourselves as being better than Nazis.

During this time, University of California San Diego political science professor Peter Irons, together with researcher Aiko Herzig-Yoshinaga, stumbled upon Justice Department documents while researching in government archives.

Among the documents were memos written in 1943 and 1944 by the U.S. Justice Department attorney responsible for supervising the drafting of the government's brief in the case against Mr. Korematu. As he began searching for evidence to support the Army's claim that the incarceration was of military necessity as justified by shortwave radios being found in Japanese households that were illegally searched, he couldn't find anything. There were no secret communications or instances of spying found by the FBI or War Department. In spite of this, the government argued that there were (undisclosed) known instances of spying, thus all of Japanese heritage on the West Coast had to be removed for the national security.

Based on the new evidence, Mr. Korematsu had his case reopened. The government wanted the case to go away. According to Mr. Korematsu's daughter[74] the government offered him a pardon if he would drop the suit. Mr. Korematsu didn't want a pardon. He wanted his conviction overturned in order to clear his criminal record and regain his good name. Personal honor is extremely important in Japanese culture.

When the case was reopened, the government asked for the conviction to be overturned, but the government also refused to say that it wanted that based on any government error, which posed a conundrum for the judge. She couldn't rule against the Supreme Court, her boss, without that admission, yet a great injustice had been done.

The judge ruled, "Ordinarily, in cases in which the government agrees that a conviction should be set aside, the government's position is made clear because it confesses error, calling to the court's attention the particular errors upon which the conviction was obtained. ... In this case, the government, joining in on a different procedural footing, is not prepared to confess error. Yet it has not submitted any opposition to the petition, although given ample opportunity to do

[74] KorematuInstitute.org

so. Apparently the government would like this court to set aside the conviction without looking at the record ....

"[The government] eagerly moved to dismiss without acknowledging any specific reasons for dismissal other than that "there is no further usefulness to be served by conviction under a statute which has been soundly repudiated."

The judge then, overlooking all the constitutional violations while appeasing the government by not ruling on the Constitutionality of the order that the Supreme Court has already affirmed, overturned only the conviction. Mr. Korematsu's reputation had been restored. The government still had the power it gained during the war.

Justice Jackson was prescient when in his dissent, he wrote: "The principle then lies about like a loaded weapon, ready for the hand of any authority that can bring forward a plausible claim of an urgent need."

This is important for you to know because it is still the position of the U. S. government that it can repeat the process whenever it wants over whomever it wants, if it can work the population up into a sufficient patriotic frenzy. The Supreme Court has already sanctioned it and the doctrine has never been overturned.

That decision is the basis for the Concentration Camp at Guantanimo Bay (GITMO), where people who are not prisoners of war and are not convicted of any crime, and there was no evidence supporting the internment of many, are kept in prisons far from home with no visible end to their imprisonment.

That one decision gives The Patriot Act the teeth it needs to be used to arrest and detain any individuals government wants, without any access to any of the rights laid out for the protection of the people in the Constitution of the United States of America. How many U. S. citizens, if any, have been detained here in the United

States is not known and secrecy can be unconstitutionally required, because such matters are matters of national security, a place where the First Amendment's Freedom of the Press has come to mean that there is no freedom of the press. Citizens can also be denied the right to face their accusers and see evidence being used against them in secret meetings in judges' chambers.

Something that might concern you is: During the 2009 House subcommittee meeting, there was legislative support for the Korematsu v. US decision, saying that the evacuation orders should be understood in the context of the times. Even then, some of our representatives had no shame.

Congress did bar Executive Orders like 9066. But it did not bar similar evacuations. It just gave itself the right to issue the orders that the Supreme Court had so conveniently approved.

A government of, by, and for the people cannot be a mob. Mob mentality is the opposite of a government of, by, and for the people. Mob mentality is what occurs in the Patriotism Response. It is a tool of fascist dictators. When you intentionally turn off the Patriotism Response (it's easy to recognize) and start asking questions while paying attention to facts, you will see much more of what is going on. Our common safety depends on it.

APPENDIX ONE:

In his book, "Citadels of Chaos", Cornelius Carl Veith writes: FDR came to office promising to end the "Big Government" spending of the Hoover Administration, who was trying to spend his way out of the Depression. As soon as he was elected, he immediately inflated government beyond any measures any had been able to conceive. Then he tried to raise prices to pay for it. When it came to

entering the war, Mr. Roosevelt was equally dishonest. The steps he followed, as listed by then Senator Books of Illinois were as follows:

"(1) We passed a law called the neutrality law. That was to prevent our getting into their next war. And, in the short span of a few months, all the promise that we would stay out of the war and the pretext of building our own national defense, we have quickened our step....

"(2) We changed our neutrality law to sell goods to those people fighting for liberty. But to obtain that change in the law both the Executive branch and Members of the Congress pledged that all sales would be for cash-and-carry, and that it would keep war away from our shore.

"(3) Then came the original conscription bill. They said it was only for our own defense. The administration and Members of Congress pledged that these men would be taken only for 1 year, and that they would not be taken beyond the limits of the Western Hemisphere. Who could be so unpatriotic as not to be willing to serve 1 year to prepare himself to protect our home and our shore? "It was a pledge and it was a promise. It was another step.

"(4) Then we were told that Britain needed our airplanes and tanks, and that we must sell them to them even though we didn't have enough to train the men we were calling into service. But that was done.

"(5) The law forbade our selling these war implements, but we got around the law by calling them obsolete even though they were of our latest design and the best we had. Still they found a way to sell them. They said it was to keep war away from our shore.

"(6) Then Britain said she needed our destroyers. The law forbade it. But we called them obsolete too. And we were told that we were trading them for bases.

Britain got our ships. We got the right to negotiate for and to purchase bases, and to pay for them with cash.

"(7) Then came the lease-lend bill. They said it was needed to prevent our becoming involved in the war. Some of us who opposed it said that if one man, namely the President, was given all the power to distribute our military and naval equipment throughout the world, that it was bound to involve us because he would naturally ask them what they needed it for, and sit in and advise them in the conduct of the war, which naturally would involve us. We were assured that this would not happen.

"(8) Then came the problem of production, and a priority system was established. Certain strategic materials were curtailed, and our factories throughout the country began even then to feel that they would soon be faced with shortages that might result in losses or even closing down of their plants completely. But they were told it was to keep us out of the war.

"(9) Then the Chief Executive ordered ships of the countries of the world who were fighting those we chose to aid seized in our harbors. Then Congress was again asked to pass a law to give authority for that which had already been done.

"Another step. But, of course, they said, to keep us out of the war.

"(10) The United States Army moved in on men who were striking for a living wage in a factory that produced airplanes, 90 percent of which were being sent across the sea. There was no authority to move the Army with fixed bayonets into an industrial plant, but after the deed was done Congress was asked to pass a 'seizure bill,' and in the Senate it was intimated that we were not backing up our President when we wrote in an amendment which merely required that the management and labor be given ample time to conduct negotiations before the Army was used to seize the plant. But it was to keep us out of war.

"(11) Then we find suddenly that our troops are in Iceland—outside of the Western Hemisphere. Although we were told we were to take over Iceland and protect its people, we find that our soldiers are participating with the British troops there—outside the Western Hemisphere. They say again it is for national defense and to keep us out of war. "Then we find that boys who were drafted from their homes, from their work, under the promise in the law for only 1 year's service have been sent, some of them, to the bases where those in authority knew at the time they were sending them that they could not keep faith with these boys and return them within the year.

"(12) Then they came to Congress again and asked for authority for things that had already been done. What authority did they ask for? To remove the restrictions of the law so that men could be sent anywhere the Commander in Chief wished to send them beyond the Western Hemisphere. And, more— they asked to have every restriction removed as to the number that could be drafted, and they asked to have the restriction also removed as to the limit of time of their service

Grieb, in his book "Uncovering Forces for War" writes[75]:

Robert J. Scrutton, in his book, A PEOPLES RUNNYMEDE, writes an enlightening chapter entitled "The Peace We Lost". We quote in part:

"It is hypocrisy to condemn economic or military aggressors of dictators, no matter how ruthless they may be in their commercial or military war, if we will not remove the economic causes of the aggression or the condition which gave rise to dictatorships.

[75] Pages 76-78

"The nations which were in the category of the "have nots" were treated as we treat our unemployed. 'Our economic policy has no provision for exchanging goods and services without the use of money, but as the system cannot give you money, we must withhold the goods you need. We are sorry for your condition, but bear your troubles peacefully; any attempt at violence to obtain a sufficiency of food, warmth and shelter will be crushed by the forces of law and order.' This is the only implication we can give to Mr. Eden's words on September 20, 1937, after Germany and other countries had asked for assistance in solving their food problems:

"I am afraid no modification of the British or any other preferential system can provide an adequate remedy for the difficulties of those countries which, by maintaining exchange control (money or finance), find themselves at a disadvantage in obtaining imports of raw materials and other things which they require. For as the committee's report clearly shows, the principal difficulties of these countries arises not in obtaining raw materials, whether from colonial areas or elsewhere, but in paying for those raw materials"

"The great commercial nations—America, Great Britain and France—had lent, and were willing to continue lending, money to foreign countries so that they could buy their goods. But Italy had learned her lesson by past experience and refused to entangle herself in debt. She occasionally ignored orthodoxy and fed her people by exchanging abroad her industrial products for the food she could not produce herself. Russia also offended against the commercial powers by exchanging goods for goods. They were condemned by the world's economic experts. Barter was not accepted as legitimate trade. It did not gather interest. Trade was trade, in the opinion of the money power, only when men stood at ports entering cargoes into ledgers headed "Imports and Exports." Barter only fed people.

"Germany, like Italy and Russia, was trying to escape the entanglements of world debt. England was quite willing to lend money to buy raw materials, but they

(Germany) insisted upon exchanging goods for goods. They would not be drawn into the system of increasing debt, booms and slumps. The Time (London) has since said that Germany's barter system made her an aggressor in the world market.* She was trying to break the credit ring of the money monopolists by the force of economic sanity—and that was unforgivable. She was acting like a worker who went on strike against a system which deprived him of adequate food supplies though he was quite willing to exchange his labor to pay for them."

*From the Times (London), October 11 and 12 and November 13, 1940:

"One of the fundamental causes of this war has been the unrelaxing efforts of Germany since 1918 to secure wide enough foreign markets to straighten her finances and the very time when all her competitors were forced by their own debts to adopt exactly the same course. Continuous friction was inevitable.

"Germany adopted a new monetary policy after which", the Time says, "Germany ceased to experience any serious financial difficulty."

"In this country the people suffer the burden of heavy and increasing taxation, but in Germany", says The Times: "Nothing is ever heard of the necessity of increasing taxation, compulsory savings, or the issue of enormous public war loans. Quite the contrary. Recently an important tax was abolished. Public savings bank deposits touch new monthly records again and again. Money is so plentiful that the interest rate on the Reich loans could recently be reduced from 4 ½ to 3 per cent.

"We are told, 'These changes may well call for drastic readjustments in our established conventions. A hidebound persistence in methods and doctrines which were sound fifty years ago may easily prove as costly in the financial and economic field of actual war. It might not lose the war; it would certainly lose the peace'."

APPENDIX TWO:

(From the Ambassador of the Republic of Poland)

"To His Excellency, the Minister for Foreign Affairs in Warsaw:

"Public opinion in America nowawdays expresses itself in an increasing hatered of everything Fascist, hatred of Chancellor Hitler and in fact everything connected with National Socialism. Above all, propaganda here is entirely in Jewish hands. Jews own practically 100 per cent of the broadcasting stations, cinema, organs and periodicals. Although American propaganda is somewhat rough-shod, and paints German as black as possible—they certainly know how to exploit religious persecutions and concentration camps—yet, when bearing public ignorance in America in mind, their propaganda is so effective that people here have no real knowledge of the true state of affairs in Europe. Nowadays the majority of Americans regard Chancellor Hitler and National Socialism as the greatest evil and the greatest danger that have befallen the world.[76]

"The whole situation in this country constitutes an excellent forum for all classes of public speakers and for refugees from Germany and Czecho-Slovakia who are not backward in inflaming American public opinion with a torrent of anti-German abuse and vilification. All these speakers extol American liberty and compare it with conditions in the totalitarian countries. It is interesting to observe that in this carefully thought-out campaign—which is primarily conducted against National Socialism—no reference at all is made to Soviet Russia. If that country is mentioned, it is referred to in a friendly manner and people are given the impression that the Soviet Russia is part of the democratic group of countries. Thanks to astute propaganda, public sympathy in the U. S. A. is entirely on the side of Red Spain.

[76] *This in spite of the fact that Roosevelt had turned America into a nationalist socialist State.*

"Side by side with this propaganda an artificial war panic is also created. Americans are induced to believe that the peace in Europe is hanging by a thread and that war is inevitable. No effort is spared to impress upon the American mind that in the event of a world war, the U. S. A. must take an active part in a struggle for freedom and democracy.

"President Roosevelt was first in the field to give expression to this hatred of Fascism. He had a two-fold purpose in mind: firstly, he wanted to divert American public opinion from difficult and complicated domestic problems, particularly, however from the struggle that was going on between Capital and Labor. Secondly, by creating a war-panic and rumors of a European crisis, he wanted to induce Americans to endorse his huge program of armaments, as that program was in excess of normal American requirements.

"Commenting on Roosevelt's first purpose, I must say that conditions on the American Labor Market are constantly growing worse; unemployment today already totals 12 millions. Federal and State administrative expenditure is increasing daily. The billions of dollars which the Treasury spends on relief work is the only factor which at present maintains a certain amount of peace and order in this country. So far there have been only the usual strikes and local unrest. But no one can say how long this State subsidy will continue. Public agitation and indignation, severe conflicts between private enterprise and enormous trusts on the one hand, and with labor circles on the other, have created many enemies for Roosevelt and caused him many sleepless nights. As to Roosevelt's second purpose, I can only add that, as an astute politician and expert on American mentality, he has succeeded in quickly and adroitly diverting public opinion from the true domestic situation and interesting that opinion in foreign policy.

"The modus operandi was perfectly simple. All Roosevelt had to do was to stage correctly, on the one hand, the menace of world war brought bout by Chancellor Hitler, while on the other hand, a bogey had to be found that would gabble about

as an attack on the U. S. A. by the totalitarian countries . . . The Munich Pact[77] was indeed a godsend to President Roosevelt. He lost no opportunity in translating it as France's and England's capitulation to bellicose German militarism. As people say in this country, Hitler drew a gun on Chamberlain. In other words, France and England had no choice and had to conclude a most shameful peace.

"Furthermore, the brutal treatment meted out to the Jews in Germany as well as the problem of the refugees are both factors which intensify the existing hatred of everything connected with German National Socialism. In this campaign of hatred, individual Jewish intellectuals, such as Bernard Baruch, Lehman, Governor of New York State, Felix Frankfurter, the newly appointed Supreme Court Judge, Morgenthau, the Financial Secretary and other well-known personal friends of Roosevelt have taken a prominent part in this campaign of hatred. All of them want the President to become the protagonist of human liberty, religious freedom and the right of free speech. They want the President to punish all anti-Semitic agitation[78]. This particular group of people, who are all in highly placed American official positions and who are desirous of being representatives of "true Americanism," and as "Champions of Democracy" are, in point of fact, linked with international Jewry by ties incapable of being torn asunder. For international Jewry—so intimately concerned with the interests of its own race—President Roosevelt's 'ideal' role as champion of human rights was indeed a godsend. In this way Jewry was able not only to establish a dangerous centre in the New World for the dissemination of hatred and enmity, but it also succeeded in dividing the world into two warlike camps. The whole problem is being tackled in a most mysterious manner. Roosevelt has been given the power to enable him to enliven American foreign policy and at the same [time] to create

[77] The Munich Agreement was a settlement permitting Nazi Germany's annexation of portions of Czechoslovakia along the country's borders mainly inhabited by German speakers, for which a new territorial designation "Sudetenland" was coined. The agreement was negotiated at a conference held in Munich among the major powers of Europe, without the presence of Czechoslovakia.
[78] That he, himself, is encouraging

huge reserves in armaments for a future war which the Jews are deliberately heading for.

"It is easy for American domestic policy to divert public opinion in the country from an increasingly anti-Semitic feeling. This is done by talking of the necessity for defending faith and individual liberty against the menace of Fascism.[79]

"JERZY POTOCKI
"Ambassador of the Republic of Poland"

[79] Yet he wasn't defending the faith of the Japanese citizens. He was defending the faith of the Christian citizens, while using the faith of the Jewish citizens against Jews, both of which he was using to get us into the war, and both of which he was actively working against.

Chapter 10
Are You Absolutely Certain That YOU are a Citizen?

Our government was designed to be run by informed, engaged citizens. We have an incredibly dangerous form of government for people who don't know how it works. — Indiana State Senate Education Committee Chair Dennis Kruse, recommending that high-school students be required to pass an immigrant civics test

Given the loud disagreements about birthright citizenship, it makes sense to include a chapter about it in this book, if for no other reason than to learn a little more about our history. What did the originators of the 14th Amendment mean when they sent the 14th Amendment defining citizenship to the States for ratification? We can learn that as we learn about the story of Wong Kim Ark.

Wong Kim Ark was born in San Francisco in 1873, the year following the (unconstitutional) "Chinese Exclusion Act of 1872". His parents were in America legally, though they were not citizens.

Until the Chinese Exclusion Act, the United States welcomed Chinese laborers. In the beginning, as America built its railroads, mined its gold and farmed the valleys of Northern California, the Chinese were hard working and productive workers who earned money then returned to their homeland to die. Jobs were in abundance and they streamed to America in the thousands.

Then came the Depression of 1873[80] that you read about earlier in the chapter called "The Unamendment Amendment" that included the Salary Grab Act. It was a disastrous depression caused by a single man attempting to corner the gold market. That depression took its toll on white working men who began to look for scapegoats. In California the scapegoats were the hard-working Chinese. Mob

[80] For a well-written and easy-to-understand explanation of the Panic of 1873, that caused a depression far deeper than The Great Depression, created by one man trying to corner the gold market, I encourage you to read this fascinating article in the November 4, 2014 edition of "Business Insider": http://www.businessinsider.com/mauldin-on-panic-of-1873-2014-11

violence, arson, and overt racist derision swept through California. It became dangerous to be Chinese in California.

To address California's fears that white men might lose their majority in California, Congress enacted the clearly unconstitutional Chinese Exclusion Act of 1882, designed to put an end to the flow of Chinese into the U.S.

Perhaps because of the overt racism and violence, Wong's parents, accompanied by Wong, returned to China in 1890, when Wong would have been around 17. For Wong, who had been born and raised in San Francisco, the family home he was born and raised in was his only home. All his friends lived in San Francisco. He returned to the states within a few months (understanding that travel by ship was slower in those days, how long he was actually in China apparently isn't known).

Wong produced his certificates and was allowed in the country based on his documented claim of U. S. Citizenship. The Chinese Exclusion Act didn't apply to him because of his citizenship.

Four years later (1894) he sailed to China for a temporary visit, and this time did not return util August of the following year. He fully expected to be allowed to enter as he had been before. But this time, he was denied entry in spite of his having the necessary documentation. He was being told that he wasn't a citizen. As he waited in various ships in the San Francisco Bay, he sued for his citizenship rights.

Initially he lost, because he was born an alien to Chinese parents. Through the appeals process, the case made it to the Supreme Court.

Before we look at what the Supreme Court said, we should look at the language of the 14th Amendment. The part of the 14th Amendment that we will be looking at reads:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. ..."

Most of us know the words "born or naturalized" in the United States, and we know what they mean, but few remember to mention that these new-borns must ALSO be subject to the jurisdiction of the United States. What does that mean?

If there is any doubt, to discover that, one must go to the Congressional Record. Here will will look at the Senate minutes for May 30, 1866 to see what Senator Howard, who introduced that part of the 14th amendment, meant by the words. Questions to Senator Howard were fierce and penetrating. The atmosphere was acrimonious. The senators were worried that someone might take the words to mean that anyone can come to the United States, give birth to a child who can then claim citizenship. Senators were worried about gypsies in Pennsylvania, the Chinese Mongolians in California, cannibals from island nations, and the Indians around the country. Only one senator went on the record in favor of birthright citizenship.

Senator Howard kept reminding his fellow senators that the jurisdiction clause prevented their worries from being realized. Here is an excerpt from the Congressional Globe for that day explaining how the provisions' author intended it to be understood.[81]

"Mr. Howard: The first amendment is to section one, declaring that "all persons born in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside."

[81] http://www.loc.gov/law/help/citizenship/pdf/congressglobe_2890.pdf

"I do not propose to say anything on that subject except that the question of citizenship has been so fully discussed in this body as not to need any further elucidation, in my opinion.

"This amendment which I have offered is simply declaratory of what I regard as the law of the land already, that every person born within the limits of the United States, and subject to their jurisdiction, is by virtue of natural law and national law, a citizen of the United States.

"This will not, of course, include persons born in the United States who are foreigners, aliens, who belong to the families of ambassadors or foreign ministers accredited to the Government of the United States, but will include every other class of persons. It settles the great question of citizenship and removes all doubt as to what persons are or are not citizens of the United States.

"This has long been a great desideratum in the jurisprudence and legislation of this country."

Assurances were demanded that citizenship is not defined merely by the place of birth. Assurances were given, in that there has to be complete and total jurisdiction, or citizenship does not apply. Often the discussions turned to Indians. (Some wanted to make them citizens as well, but the vast majority recoiled at the idea.)

Elsewhere in the congressional record, the issue of Indians was again of concern. Especially worrisome was the question of if a squaw leaves the reservation to give birth on American soil, is the baby a citizen? No, was the reply. The baby is under the jurisdiction of its parents, and its parents are under the jurisdiction of the tribe. The baby is an Indian. Another said that an infant can't offer himself up for jurisdiction.

According to the Congressional Record, the first part of the 14th Amendment means that to be a citizen, the parents must become citizens before the child is born or the child must also be naturalized to be a citizen, no matter how long he or she lives here. The language is clear and unambiguous, though it does not seem to be fair for a third or fifth generation alien living in America (perhaps most Americans). Even so, Congress does have, and has always had, the Constitutional power to make these newborns "naturalized" citizens, meaning that they are citizens, but not eligible to be president, just as Congress declared children born in other countries to be (naturalized) citizens at birth. In the case of the Chinese Exclusion Act, Chinese were not even allowed to apply for citizenship.

The great political divide over the issue of birthright citizenship should not be tearing us apart. It would not be tearing us apart if the Supreme Court had not voided the jurisdiction part of our Constitution.

Which brings us back to the case for Wong Kim Ark. This is a heart-wrenching case to be sure, especially if you believe in nations without borders and/or you believe in equality. Having legally lived in the USA for twenty years, working (as a cook) so presumably paying taxes, owning a home, and (unconstitutionally[82]) denied by law the right to become a naturalized citizen, it makes ethical sense to invite him into the political union of his home country as he becomes an adult. But the question remains. Is the Constitution our law of the land? Or are we a nation of judicially "decreed" morality. If we are a Constitutional Republic, according to the Constitution, who gets to make those laws?

Things you should consider as you make your determination:

Article I Section I of the U. S. Constitution. "*All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate*

[82] Naturalization laws must be uniform – meaning applicable to all

and House of Representatives." If we are a constitutional republic, then the Congress gets to decide on the meaning of the intents of its amendments, which is why they keep minutes of their meetings—so we can read them.

10th Amendment: "*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.".* The Supreme court does not have the power to void any part of our Constitution.

- Though the final decision made no mention of the Chinese Exclusion Act, because we are looking at the case that came about because of it, we must first decide if it was constitutional. When the Constitution was written, everyone wanted immigration. One of the complaints in the Declaration of Independence was that King George was interfering with immigration. The thought that we would become as densely populated or as large as we are today wasn't even conceivable. The only mention of Congress' powers to regulate migration had to do with the importation of slaves, that congress couldn't regulate until 1808. The Constitution does not give the FEDERAL government the power to regulate immigration. That is a state's right.
- Does the Constitution require the people to ratify an amendment authorizing Congress to regulate immigration before it passed the Chinese Exclusion Act that was the problem in this case?
- Does the constitution authorize birthright citizenship or give judges the right to void part of our Constitution?

Pausing for your deliberation

If you understand the Constitution, you know that the Court should have ruled that Congress doesn't have the constitutional authority to pass the Chinese Exclusion Act. Mr. Ark should have been allowed entry into the country (if not in California, then in another State that does have the power to regulate

immigration, and that would accept him) and he certainly should have been allowed to apply for citizenship if that was his desire. If a Canadian could, then a Chinese also has the same right because naturalization laws must be "uniform". If the people want Congress to limit immigration, we must first have an amendment that allows for it. If you understand this, you are perfectly capable of participating in a government of, by, and for the people. Congratulations!

You probably already know how the court ruled. It ruled on the morality of the issue, rather than the legality of it, and threw this nation into a turmoil that we continue to fight about to this day. The argument goes on when it never needed to appear in the first place. The Court threw out the all-important jurisdiction clause and it granted birth-right citizenship to Mr. Wong.

Only a few years earlier, the high court affirmed the jurisdiction clause when John Elk, a Winnebago Indian, renounced his tribe and moved out of the Indian nation and into US territorial land. He assimilated, asserted his citizenship because he was born on U. S. soil, and tried to vote. Here, though they followed the law, given how hated Indians were at the time, and the congressional record makes that clear, that was also a ruling on morality rather than law. It was the correct judicial decision for the wrong reason. John Elk was denied citizenship.

Other issues regarding citizenship are just as conflicted. For instance, in 1957 when Clemente Perez, of Mexican ancestry, tried to claim his birthright citizenship, his request was denied by the high court because he voted in a Mexican election. This meant automatic loss of citizenship rights under the Nationality Act of 1940.

On the other hand, only ten years later in 1967, the high court reversed itself when a wealthy white man came before it. The case Afroyim v. Rusk is about a man born in Poland who came to the USA where he became a naturalized citizen. He then went to Israel where he lived for a while, became a citizen, and voted

there in an election. His citizenship was revoked upon his return to the US. He also sued.

In that instance, in its decree of a new doctrine, the Court ruled that citizenship cannot be revoked because the Constitution doesn't grant Congress that power. But it does if you read the Jurisdiction Clause—or would have if the Court hadn't issued a doctrine saying it isn't part of the Constitution any more. Because of that decision, there are now people with multiple citizenships—people who refuse to place themselves under the jurisdiction of the State as required by the 14th Amendment, and in the case of naturalized citizens, by their oaths of naturalization. Now a citizen of other nations can vote in multiple elections.

Dual (or more) citizenship is what the Congress specifically intended to prohibit in its jurisdiction clause of the 14th Amendment. The Congressional Record makes that clear. Congress specifically intended that a citizen be under the complete jurisdiction of this country to be a citizen of this country. Those with dual or multiple citizenships refuse to do that.

In Britain's process of judicial review, justices cannot overrule Parliament. Britain's parliament ended its birthright citizenship. For as long as the high court holds onto its self-assumed throne, we may not change our rules because the high court prevents it. Hence, the first three reasons for declaring our independence from Britain are being repeated by our Supreme Court.

The jurisdiction clause of our Constitution is gone, as is the rest of our most precious document.

Apparently, if you are a poor Indian, African American, Mexican, Chinese, or any other person of inferior status in the eyes of the high court (including women), you will get one decision. But if you are a wealthy, white, male Christian, or more recently a Jew, and better yet, if you incorporate yourself and become a

billionaire, you will receive even more favorable treatment. If we are a nation bound by the Constitution, how can this be?

Chapter 11

Where or where has our government gone?
Oh where oh where can it be?
With its freedom strong and its future bright,
oh where or where can it be?

Hast thou betrayed my credulous innocence
With vizor'd falsehood and base forgery?
John Milton, Comus (1637)

We have been formally taught that the U. S. Supreme Court "interprets" the Constitution, and that is their job. It's a necessary job, we are told. Who else can do that but the Courts? Who else is qualified? Though not authorized by the Constitution, it is uniformly believed that a Supreme Court justice must be a lawyer who is specifically and highly-trained (preferably at either Harvard or Yale) in the art of getting around and avoiding laws. Such an ideology is either seriously ignorant or seriously insane. Why would we want people, whose specialty training is in avoiding the law, to interpret the law? It's all rather self-serving, don't you think?.

IF the high court is going to be given the power to impute meaning where meaning isn't initially clear (and it would require a Constitutional Amendment to do that because the Constitution doesn't authorize judicial review), we need historians on the high court, not lawyers. If the high court has the power to issue "Doctrine", then it isn't a judicial body. It's both a legislative and religious one.

The google dictionary defines doctrine as: noun: doctrine; plural noun: doctrines A belief or set of beliefs held and taught by a church, political party, or other group. ("the doctrine of predestination")

The idea of doctrine being part of politics comes to us from the Holy Roman Empire of the early Dark Ages, where the pope established doctrine as he saw fit, and kings that refused to comply could be, and at times were, deposed. In America today, the high court can depose a duly elected president, as it did in Bush v. Gore.

We can see many instances of the feudal Holy Roman Empire in America's doctrine. We've seen some already as we reviewed Supreme Court cases, but there are more.

United States citizenship law, for example, is founded on two principles—*jus soli* ("right of the soil"—from "Common Law" doctrine), and *jus sanguinis* ("right of the blood"—from the "Law of Nations"). Under jus soli, the ancient common law of England, a child's citizenship would be acquired by birth within a country's territory, without reference to the political status or condition of the child's parents. (The Court's decreed doctrine.) Under jus sanguinis, or the "implied" Law of Nations, the citizenship of a child would not depend on his or her place of birth, but would instead follow the status of a parent (specifically, the father—or, in the case of an "illegitimate" birth, the mother). As it stands now, of all the developed nations, only the USA and Canada retain birthright citizenship. All other countries that had it have gotten rid of it.

Even the names for these doctrines are in the Latin, right out of the early feudal Dark Ages.

Justices take an oath to protect and defend the Constitution from all enemies foreign AND DOMESTIC, but they are the enemy of the Constitution. Every phrase, every governmental restriction and every freedom guaranteed to us by our Constitution, and even the Constitution itself, has been erased and replaced with judicial doctrine. That's why our government no longer works. It has been designed to not-work.

The justices tell us that they are the purveyors of morality and teachers, but that is expressly not their job given both Article III and the existence of the 1st, 9th, and 10th Amendments. That is OUR freedom, not their power! The First Amendment prohibits inserting Christian or Jewish or any other religions' morality into our lives, with the full force and might of the State to enforce that religion's morality. The ethics of a Jain Buddhist are extremely different and mutually exclusive of that of a fundamentalist Christian, Muslim, or Orthodox Jew, as are the nature religions/philosophies of the American Indians or the growing number of Pantheists, agnostics, and both spiritual and materialist atheists. Equality under the law is our right, yet that too has been taken away. It's gone. It's all gone. Everything that we thought we stood for is a lie. Even the celebration of Independence Day is based on a lie. Freedom no longer means freedom, equality no longer means equality, and justice no longer means justice.

Another reason why we don't need a Supreme Court to determine morality is that we have access to the Congressional Records from the first day of the first session of Congress to the present day. If we want to know what the Congress was thinking when it passed a law or offered an amendment, we can find out. Simply read it as we did in the Wong case. If it still remains unclear, or if we, the people, want to change it, then an amendment is needed. The high court refuses to read the Congressional Record because the high court decides morality, not justice. It issues doctrine that becomes law and affects what laws the Congress may pass in the future. It refuses to accept Amendments as part of the Constitution.

We also have documents and letters from all of the earliest Americans who established our Constitutional Republic. We can know what those people were thinking as well. Just read the letters and documents. Of course, that would require us to know that the Federalist Papers that the court continually relies on are NOT the expressions of the sentiments of our founding fathers. The Federalists lost the debates that they sought to win. The Anti-Federalists are our actual founding fathers, as you will see in later chapters.

What happened in America to bring us to our present low state? How could we not know that we aren't what we thought we are? Can we find the original destruction of the Constitution that we all hold so dear, but which has completely eroded away through the issuance of doctrine and outright legalized corruption by our government? Yes we can. It's all documented. And knowing how it broke, we can put it back together. We can restore freedom, equality, and justice that comes to us through a Constitutional Republic of, by, and for the people. We just need to learn how to do so peacefully.

In a common law government, the government is constituted by its body of laws and judicial precedents/doctrine. In a Constitutional government, the government is constituted by its "written" Constitution. In our written Constitution, only the States or the people (when the States grant it through voter laws) have the right to void, add, or amend any provision. Congress actually has very few granted powers. In our government, the Supreme Court threw out our ability to use the amendment process to force government to do anything that it didn't want to do. Amendments are now suggestions rather than law. (You could call it the Amendment Doctrine.) Honoring them or not is a political matter (The Political Doctrine).

In a common law government, the goal post or rules move or change at any time and without warning. It's a very unstable way of keeping a country united. It divides us into factions because laws are based on the justices personal opinions rather than a written set of clear laws that all are capable of understanding, which are what a Constitution is. In fact, history clearly demonstrates that the most effective way of keeping a corrupt dictatorship in power is to create dissention rather than cooperation. It sounds counter-intuitive but history shows otherwise, and it makes sense when you think about it. It keeps people fighting against one another to protect the State from the enemy, but in the eyes of the State, the people on both sides are the enemy, being pitted against one another to protect the State. That, along with keeping the people ignorant, is how the Roman

Empire, the Holy Roman Empire, and our own government managed to stay in control for so long.

Common law governments are remnants of the old days of feudalism where the marriage of Church and State determined the law of the land. In that context, Church and State are mutually dependent upon one another to retain power in a fascist state. In feudalism, one can't survive without the other. Since the reign of Britain's Henry VIII, the State must also be the nation's religion.

American common law is like kicking a field goal attempt, but at the moment when the boot meets the ball, the goal post is instantly moved thirty feet to the left and ninety degrees to the right. It is also like a referee throwing the yellow flag immediately at kick-off because he suddenly decided that the kicker used the wrong style of kick. He should have used a soccer-style side-of-foot kick rather than a toe kick. The referee changed the rules mid-game and after the fact, just as the court routinely does in spite of our Constitutional ban on ex post facto laws. To restore our union, we, the citizens, must know our Constitution as well as we know the rules for any game we play, from Parcheesi to Gin Rummy.

ALL judicial doctrines, without exception, are ex post facto laws.

So how did it happen? How did we lose our Constitutional Republic? Can we find the moment that our common train, our nation, went off the tracks? Yes we can, because the original documents still exist. You aren't taught about them, but thanks to the Internet, they still exist and can be found.

This brings us to the grand daddies of all depraved Supreme Court decisions: the conjoined decisions of Marbury v. Madison and McCulloch v. Maryland.

The story of those two decisions is so complex and so hidden from us that it's hard to believe that the Supreme Court actually had the audacity to conduct a well-documented Coup d'état. It is such a bizarre story that you may have to see

the documented proof with your own eyes before it is fully believable. When it conducted its coup, it turned us back into the equivalent of the British Empire that we fought a war to escape before it gave up it's own process of judicial review. It restored the feudalism that our constitution sought to bring to an end.

In England, the monarch is also the head of the Church of England. In Vatican City, the pope, the head of the State's religion, is also the king of his separate and distinct country. When the Supreme Court took over America, throwing out the Constitutional Republic and replacing it with a common law government of its own design, it assumed the role of not only the monarch (by majority rules – thus sharing a throne), but it became the head of the invisible, "implied" Church of America called American Patriotism. Supreme Court Justices are the high priests that are above all other gods, because they can tell the various gods and their followers what they may or may not do, and they do it with impunity.

In the Declaration of Independence, the very first reason given for splitting from England was judicial review. "He has refused his Assent to Laws, the most wholesome and necessary for the public good."

When the Court threw out our written Constitution that says that IT is the law of the land, the Court "refused assent to laws, the most wholesome and necessary for the public good."

When judicial doctrine interferes with Congress' ability to pass laws in the future, as it does, it repeats the second reason for breaking ties with England: "He has forbidden his Governors to pass Laws of immediate and pressing importance…"

When a judicial doctrine eliminates the jurisdiction clause of the Constitution for instance, it denies Congress the right to reinstate it. Congress has been made impotent. Therefore, you have been silenced and made impotent.

When judicial review is in play, the court violates yet another reason given in the Declaration of Independence: [By] "declaring themselves invested with power to legislate for us in all cases whatsoever"

And in throwing out the principles in the Declaration of Independence in order to destroy our Constitutional Republic in order to replace our workable government with an unworkable Common Law government with the Court at the head, it violated yet another:

"For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

and again:

…"A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people."

As you have seen, our government has provably done something horrible to us, and we cannot fix that which is broken until we see all that it has done. The next set of chapters looks at the back-story of how we lost our Constitutional government, culminating with the actual documented Supreme Court-led coup d'état. The coup had been planned from the earliest days of the Revolution. A trap had been set. It took years of scheming and more years of patience to wait until the conditions were ripe to spring the trap. It was a strong trap. So strong that it killed our Constitutional Republic. And again, international bankers were at the root of it.

What follows is the well-documented but secret American history that you were not supposed to know about, and that you were intentionally prevented from learning about in mandatory public schools. What you learned about American history is almost entirely lies and half truths, and the story of how that came to be

is also documented. America's real history is far more fascinating and far darker than you dared imagine.

How the abomination of desolation works (our feudal money system sustained by the Church-State alliance bent on destruction) is also laid out in exacting detail in its own chapters.

Then, when we know all that we need to know to justify taking back our country, we are ready to discover the avenue of our non-violent escape from tyranny.