Why Counties Matter Most – An Architectural And Functional View

For knowledge to become power – it must be exerted.

Preface

By now, one should have a sufficient view of our governmental framework as one has delved into our previous articles covering 1) the limited roles, responsibilities, powers, property, and jurisdiction of the general government, 2) the proper entity for enforcement or execution of the Constitution, 3) why the general and state governments can no longer invoke martial law, 3) the teeth and the unknown teeth in the Constitution, and 4) the specific process necessary to obtain compliance to the Constitution. Consequently, understanding the architecture and how our hybrid Constitutional Republic was designed to operate.

In the evolution of enlightened governments, 1776 played out as an epoch for mankind for both liberty and subjugation. The Declaration of Independence was the epoch for individual liberty and sovereignty and what is known and referred to as Adam Weishaupt's charter for the Illuminati in establishing a one world government. The former should be common knowledge to the any America as the Declaration of Independence and the later was an actualization of the works of Plato's "*Republic*," as the first original thought of a statist government committed to writing, along with subsequent works from Dante's "*De Monarchia*" as well as other altruistic books. Adam Weishaupt's charter for the Illuminati, exposed in John Robison's *Proofs of a Conspiracy Against All the Religions and Governments of Europe,*[1] with citations from Weishaupt asserting "Princes and nations shall vanish from the earth. The human race will then become one family, and the world will be the dwelling of Rational Men", as all nations move towards a single governance and single currency. As such, all facets of the Government will be employed to ensure the inculcation of the public. "The great strength of our Order lies in its concealment; let it never appear in any place in its own name, but always concealed by another name, and another occupation... establishing reading societies, and subscription libraries, and taking these under our direction, and supplying them through our labours, we may turn the public mind which way we will." The education system will teach tolerance and "we must win the common people in every corner. This will be obtained chiefly by means of the schools, and by open, hearty behaviour, show, condescension, popularity, and toleration of their prejudices, which we shall at leisure root out and dispel," in essence pervert and destroy our morals and traditions.

The irony is sobering that both a righteous as well as an evil plan was coming forth for the governing of mankind and the culmination of these plans is playing out today. One can see how these plans have played out over the past 240 years. The infiltration of communism has been very prolific due to the lack of vigilance complacency of the American people shortly after our nation's founding. James Madison profoundly laid out the importance of the "We the People's" involvement in our self-government in stating:

"But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such

[1] John Robison, 1798, Proofs of a Conspiracy Against All the Religions and Governments of Europe: http://www.reclaimingtherepublic.org/PDF_Docs/PROOFS_OF_A_CONSPIRACY_John_Robison.pdf

devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions."[2]

Needless to say the dependence on the people as the primary control of government has failed, but why? This question opens a plethora of rat-holes; however, the primary reason why "We the People" allowed our Republic to drift into communism had more to do with a lack of details and explanations on the architectural and functional framework of government by the principle framers. The uniqueness of our bicameral legislative bodies has become a complete mystery. To be specific, the three layer design of governments was interdependent in this control through the framers innovation regarding a Republican Form of government is the key and this was the reason we have slide into a Monarchal Party form of a Democratic Socialist government.

Thomas Jefferson described the political power in this new government as outward flowing like centrifugal energy. The distributive responsibility and power is what makes our Republic impenetrable from all external threats. This is why the vulnerability of the Republic is the pulling in or the centralizing of power using centripetal force instead of centrifugal forces. Pulling political power into a central government destroys our Republic, allowing political energies to flow outward expands and strengthens our Republic.

What is paramount today, if we are going to restore our hybrid Constitutional Republic, is restoring the people's power over their direct government by restoring the architectural and operational structure of our self-government. In other words we have to restore the government where all political energy is to originate with the people and their direct government, our county government.

Our Declaration of Independence succinctly state that our government is instituted by We the People.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government."[3]

A Confederated Republic – Not a Federation

Technically "We the People" did not originally institute our government. We inherited the remnants of a Monarchial government that employed a degree of republicanism and democracy. Therefore, starting with the creation of the Union the Colonies quickly adopted the term State which already had a local government called a county, district, or parish (in Louisiana) that actually was formed by the colonists. The first Constitution in the colonies was the Fundamental Orders of Connecticut; however, these more of agreements granting general powers or leaving most powers to the discretion to those who governed. These Constitutions and governments were not perfect but as applied to the colonies the people felt their liberties were more secured. Subsequently, Constitutions were the mechanism that formed our governments, and establishes the newly formed

[2] James Madison 08 February 1788, Federalist Paper # 51.
[3] The Declaration of Independence, https://avalon.law.yale.edu/18th_century/declare.asp

governments' roles, responsibilities, powers, and even identifies the properties it has the authority to possess; more to come on the Constitution for the United States later.

While the colonies were finally convinced to pursue independence, their unique structure of disparately formed States with very different paradigms in religion, labor, and economics, John Adams was one of the first to state the obvious in his article *Thoughts on Government*, stating that:

"That the only valuable part of the British constitution is so; because the very definition of a Republic, is "an Empire of Laws, and not of men." That, as a Republic is the best of governments, so that particular arrangement of the powers of society, or in other words that form of government, which is best contrived to secure an impartial and exact execution of the laws, is the best of Republics.

Of Republics, there is an inexhaustable variety, because the possible combinations of the powers of society, are capable of innumerable variations."[4]

Keep in mind, the original colonies were actually formed by the British Crown by a charter – and within each colony the "people" formed their local government and both the people and the government were subjects to Britain. One cannot emphasis enough the importance of why these charters in forming the colonies is so critical.

After the Revolutionary War, the Colonies became sovereign and independent State's in Article 1 of *The Definitive Treaty of Peace 1783,* which stated:

"His Brittanic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina and Georgia, ***to be free sovereign and independent states***, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same and every part thereof."[5]

It is worth noting that the King did not recognize the "Union," instead he ignored the existing union of these States under the newly ratified Articles of Association. This may be because State's were already bypassing the Articles of Confederation (AoC) before it was fully ratified – where the month prior to the AoC were fully ratified, 3 February 1781, a proposed amendment was submitted to the States to give Congress the power to duties on imports.[6] From 1781 to 1786, eight key amendments were submitted to the States to give Congress the essential powers to save the union – all of which failed.[7]

The Secret No One Will Mention

Under the Articles of Confederation the States did not grant the power to the Continental Congress to amendment the Constitution, this power was reserved by the States. The restriction on Amending the Articles of Confederation are in Article XIII stating:

[4] Thoughts on Government, John Adams, Apr 1776, https://press-pubs.uchicago.edu/founders/documents/v1ch4s5.html
[5] The Definitive Treaty of Peace 1783, https://www.archives.gov/milestone-documents/treaty-of-paris
[6] The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009. Canonic, https://csac.history.wisc.edu/wp-content/uploads/sites/281/2017/07/revise1.pdf
[7] The Documentary History of the Ratification of the Constitution Digital Edition, Attempts to Revise The Articles of Confederation, https://csac.history.wisc.edu/document-collections/confederation-period/attempts-to-revise/

"And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State."[8]

Clearly Continental Congress possessed no powers to recommend amendments to the Articles what so ever or to call for a Convention to revise the AoC. The States had full autonomy and control regarding the amendment process, in other words there was nothing comparable to Article V in the Constitution for the United States within the AOC.

To Fail or Not to Fail

The Union and the States were between a rock and a hard spot due to what many of the States referred to as "Rouge Island," a nickname given to Rhode Island.[9] Ironically, as much as Rhode Island insisted on maintaining the impotent AoC, they forced the wholesale changes that were necessary in creating a new form of government. As the AoC were clearly the failure – they provided such a frustration among the men we now call our framers that the inevitable Constitutional Convention became the petri dish for the Divine Hand of Providence to inspire these men to do something that was both out of their individual capacities as well as their comprehension.

Understanding the magnitude of the Union failing, Rhode Island unwittingly ignited the urgency and anxiety among the States and their elite class of public servants. Finally, in September 1786 in Annapolis, during a meeting of delegates from five States in the union sent the following as a recommendation to the Continental Congress:

"*That there are important defects in the system of the Federal Government* ***is acknowledged by the Acts of all those States***, which have concurred in the present Meeting; That the defects, upon a closer examination, may be found greater and more numerous, than even these acts imply, is at least so far probable, from the embarrassments which characterize the present State of our national affairs, foreign and domestic, as may reasonably be supposed to merit a deliberate and candid discussion, in some mode, which will unite the Sentiments and Council's of all the States. In the choice of the mode, your Commissioners are of opinion, that a Convention of Deputies from the different States, for the special and sole purpose of entering into this investigation, and digesting a plan for supplying such defects as may be discovered to exist, will be entitled to a preference from considerations, which will occur, without being particularized.

Your Commissioners decline an enumeration of those national circumstances ***on which their opinion respecting the propriety of a future Convention, with more enlarged powers, is founded***; as it would be an useless intrusion of facts and observations, most of which have been frequently the subject of public discussion, and none of which can have escaped the penetration of those to whom they would in this instance be addressed. *They are however of* ***a nature so serious****, as, in the view of your Commissioners to render the situation of the United States delicate and critical, calling for an exertion of the united virtue and wisdom of all the members of the Confederacy*.

Under this impression, Your Commissioners, with the most respectful deference, *beg leave to suggest their unanimous conviction, that it may essentially tend to advance the interests of the union, if the States, by whom they have been respectively delegated, would themselves concur, and use their endeavours to procure the concurrence of the other States,* ***in the appointment of Commissioners, to meet at Philadelphia on the second***

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[8] The Articles of Confederation, 01 March 1781, https://avalon.law.yale.edu/18th_century/artconf.asp

[9] "Rogue Island": The last state to ratify the Constitution, Jessie Kratz, 18 May 2015, https://prologue.blogs.archives.gov/2015/05/18/rogue-island-the-last-state-to-ratify-the-constitution/

Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union; and to report such an Act for that purpose to the United States in Congress assembled, as when agreed to, by them, and afterwards confirmed by the Legislatures of every State, will effectually provide for the same."[10]

In response to this recommendation from the Annapolis convention, Continental Congress sent the following report to the several States:

"Congress having had under consideration the letter of John Dickinson esqr chairman of the Commissioners who assembled at Annapolis during the last year also the proceedings of the said commissioners and entirely coinciding with them as to the inefficiency of the federal government and the necessity of devising such farther provisions as shall render the same adequate to the exigencies of the Union do strongly recommend to the different legislatures to send forward delegates to meet the proposed convention on the second Monday in May next at the city of Philadelphia"…

That it be recommended to the States composing the Union that a convention of representatives from the said States respectively be held at on for the purpose of revising the Articles of Confederation and perpetual Union between the United States of America and reporting to the United States in Congress assembled and to the States respectively such alterations and amendments of the said Articles of Confederation as the representatives met in such convention shall judge proper and necessary to render them adequate to the preservation and support of the Union… Resolved that in the opinion of Congress it is expedient that on the second Monday in May next a Convention of delegates who shall have been appointed by the several states be held at Philadelphia for the sole and express purpose ***of revising the Articles of Confederation*** and reporting to Congress and the several legislatures such ***alterations and provisions therein*** as shall when agreed to in Congress and confirmed by the states render the federal constitution ***adequate to the exigencies of Government & the preservation of the Union***."[11]

Setting the stage for the Convention, four articles were published by William Barton (Jan 1787), Benjamin Rush (Jan 1787), James Madison, (Apr 1787), and Harrington (May 1787) to help We the People understand the pending doom of the Union and the necessity for a more vigorous general government.[12] Consequently, from November 1786 to June 1787 Each State except Rhode Island passed (being consistent with their obstinate position on saving the Union) "Acts Electing and Empowering Delegates" to attend the Constitutional Convention in Philadelphia in 1787. Out of the Twelve States committed to meeting only Massachusetts and New York stipulated specific changes not occur to specific clauses to Article 5 of the AoC. To be clear, all states stated as New York did by stating:

"delegates be appointed on the part of this state, to meet such delegates as may be appointed on the part of the other states respectively, on the second Monday in May next, at Philadelphia, for the sole and express purpose of revising the Articles of Confederation and reporting to Congress, and to the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the several states, render the federal constitution adequate to the exigencies of government and the preservation of the Union."[13]

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[10] Proceedings of Commissioners to Remedy Defects of the Federal Government : 1786, 14 September 1786, https://avalon.law.yale.edu/18th_century/annapoli.asp

[11] Report of Proceedings in Congress; 21 February 1787, https://avalon.law.yale.edu/18th_century/const04.asp

[12] The Documentary History of the Ratification of the Constitution Digital Edition, Commentary on the Problems under the Articles of Confederation, https://csac.history.wisc.edu/document-collections/confederation-period/attempts-to-revise/

[13] The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009,

Fundamentally, all of the twelve States repeated and emphasized the call by Continental Congress above to "render the federal constitution adequate to the exigencies of Government & the preservation of the Union." Contrary to modern day assertions – the States did not firmly constrain their delegates to maintain the AoC and simply amend them, had that been the case the Convention, just like the AoC would have been doomed before they met. Thus, those who quip that the Constitutional Convention was a runaway Convention are using hyperbole to obviate the necessary discussion today as to what needs to be done.

Clearly the AoC as the functioning constitution at the time was an abject failure – in contrast to today, the Constitution for the United States is not the problem nor has it failed, the failure that is thrusting our Republic today to ruin has everything to do with illiteracy of the Constitution and out right subversion to the Constitution for the United States.

Before moving forward into the details of the Constitution the following points must be made regarding the AoC:

1. The AoC was the apparent failure, which required significant changes to save the Union
2. The States also had to pay for the cost of Convention renting the venue, and compensating the delegates for travel, expenses, and time. To be clear, the delegates did not get rich and the compensation was a stipend compared to today's employment standards.
3. Continental Congress had no controls over the Convention, because:
a. It was not specifically enumerated in the AoC
b. The judicial powers were limited to very specific objects.

In contrast to the AoC, the Constitution and our problems are drastically different:

1. The Constitution is not failing us, our public servants and the governments they are operating are palpable violations to the Constitution for the United States.
2. A plethora of violations of the Constitution today are direct overreach by the federal government assuming roles, responsibilities, powers, and property not enumerated in the Constitution.
3. In contrast to the AoC, Article V of the Constitution grants Congress the role and responsibility to offer amendments to the States and also enumerates Congresses responsibility to call for the Convention.
4. In contrast to the AoC judicial jurisdiction, the federal judiciary under Article III Section 2 of the Constitution for the United States asserts: "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."[14]
5. Though Congress has not made any laws to the authors knowledge regarding the Article V convention, they can, since it would be in pursuance to the Constitution, and there is no doubt, the insatiable Supreme Court – who has always overreached jurisdiction over things that do not arise under this Constitution such as religion, science, education, labor, etc. will find no barrier whatsoever to hear, rule and unconstitutionally legislate the functions, actions, and possibly outcomes of an Article V Convention.

This is why the proponents for an Article V Convention are being disingenuous when their primary justification for calling forth an Article V Convention is federal overreach and yet it would not be overreach for the federal government to seize control of an Article V Convention. As previously stated, the common opponents to the Article V Convention use demagoguery regarding the Article V Convention and both the opponents and proponents would have one believe that this is strictly a binary issue, when in fact, both are obviating the actual

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https://csac.history.wisc.edu/wp-content/uploads/sites/281/2017/07/delegate_inst10.pdf

[14] The Constitution for the United States, Article III Section 2, https://avalon.law.yale.edu/18th_century/art3.asp#3sec2

tool within the Constitution designed to hold government and our public servants accountable to the Constitution for the United States when the violate the Constitution. The process is the First Amendment right of Petitioning Government for the Redress of Grievances, which will be addressed in detail in a subsequent article.

The reasons all of this history about the evolution of government is so important is because alleged "conservative" and "progressive" factions in America today are claiming the illegitimacy of the Constitution. Again the "conservative" self-proclaimed advocates on the Constitution bring this destructive argument forward again that our Constitution was illegitimate because the delegates exceeded their commission. The Anti-Federalist who ardently fought the ratification of the Constitution, based their initial argument on this point to disband the state's ratification conventions; thus, killing the Constitution. The Anti-Federalists failed in this effort. The delegates attending the ratification conventions where this question arose and most settled this question once and for all, by vote of a majority of the delegates who disagreed that the State delegates attending the Constitutional Convention did not exceed their commission.

The progressives are now using this false paradigm along with other unfounded assertions that the Constitution must be replaced with a modern living Constitution. As Rhode Island forced the Constitutional Convention, those casting a perverted view that the Constitution is illegitimate, are handing to true enemies of the Constitution an argument based on hearsay that the delegates at the Convention exceeded their commission.

A New Form of Government Is Born

In referring to the design and form of the general government within the Constitution for the United States, Patrick Henry and many others referred to it as a "new government." This is because the doctrine of the Magistrate form of government and the inherent roles, responsibilities, powers, and properties were surgically divided and separated within the Constitution. This new form of government with separate Legislative, Executive, and Judicial branches became the gold standard of governing in America. This is why all Thirteen States reconfigured their governments into this standard and that all new governments instituted by We the People would be one with full powers to govern with a three-way separation in the powers of governing.

In fixing the Article of Confederation, each State legislature sent a body of delegates to the Constitutional Convention in Philadelphia. Even though the Constitution states "We the People," in its creation the Constitution was created by an elite small set of delegates from these States who were some of the most literate regarding government and politics that the States could afford to send. In other words, the application of republicanism was clearly followed by sending delegates and not the whole body of the people developing an ultimate solution to save the union.

Once the Constitution was signed it was sent to the Continental Congress who forwarded the Constitution to the States to be ratified in a Convention of delegates who would represent their counties.

Though the Declaration of Independence predated the Constitution; however, it established a principle that still stands to this day. That principle is cited above in the Preface, "That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." The point that is irrelevant in the United State is the following clause "That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government." This is because prior to our Constitution no nation ever formed a government that could hold its elected officials and government accountable to their Constitution. We call these controls checks and balances and there are far more then what has been taught in school for over one and a half centuries.

To be clear, the Constitution for the United States is the only Constitution throughout the annals of mankind that was specifically designed to limit the general government to clearly defined enumerated objects that bind the general government to very specific roles, responsibilities, powers, and properties (RRPPs). As it was articulated by George Nicolas during the Virginia Ratification Debates:

"In England, in all disputes between the king and people, recurrence is had to the enumerated rights of the people, to determine. Are the rights in dispute secured? Are they included in Magna Charta, Bill of Rights, &c.? If not, they are, generally speaking, within the king's prerogative, In disputes between Congress and the people, the reverse of the proposition holds. Is the disputed right enumerated? If not, Congress cannot meddle with it" [15]

James Madison in the same debates in Virginia succinctly stated:

"the powers of the federal government are enumerated; it can only operate in certain cases; it has legislative powers on defined and limited objects, beyond which it cannot extend its jurisdiction." [16]

John Marshall also during the Virginia Ratification Debates also asserted:

"Can they make laws affecting the mode of transferring property, or contracts, or claims, between citizens of the same state? Can they go beyond the delegated powers? If they were to make a law not warranted by any of the powers enumerated, it would be considered by the judges as an infringement of the Constitution which they are to guard. They would not consider such a law as coming under their jurisdiction. They would declare it void." [17]

In contrast to each of the fifty state Constitutions not one comes close to limiting their State's RRPP's with succinct enumerations. The State Constitution's also lacks the check and balances in the State legislature unlike Congress and the counties when forming their State Constitutions failed to protect their republican form of government; however, many think otherwise that counties are simply administrative offices of the State. The truth is – there is no evidence of this within any of the States founding documents.

Consequently, due to the complete lack of teaching these essentials in academia for over a century, the need to examine the architecture of our republican form of government and its operational processes becomes paramount in efforts to Reclaiming the Republic©. If we turn to the founding documents and primary source materials regarding the unique structure of America's Republican form of government, how each were instituted, and how these levels of government were to function within our hybrid Constitutional Republic, we will find how We the People failed in instituting governments in accordance with the Constitutional design. The primary reason for this, was the prevailing thought for well over a century was government would never grow to a point where it would provide services to We the People.

The Constitutional Design

The Constitution is a Compact

Thomas Jefferson, James Madison, and the framers consistently referred to the Constitution as a compact. There are a plethora of references that support this, and more importantly, the compact was also further defined as a power of attorney. A specified or limited power of attorney was used during the Ratification Debates on the

[15] Mr. George Nicholas, June 10 1787, Debates in the Convention of the State of Virginia, on the Adoption of the Federal Constitution. https://constitution.org/1-Constitution/elliot.htm
[16] Mr. Madison, June 6 1787, Debates in the Convention of the State of Virginia, on the Adoption of the Federal Constitution. https://constitution.org/1-Constitution/elliot.htm
[17] Mr. John Marshall, June 20, Debates in the Convention of the State of Virginia, on the Adoption of the Federal Constitution. https://constitution.org/1-Constitution/elliot.htm

adopting of the federal Constitution and the framers also pointed to the fact that the Constitution was an instrument based upon and subject to contract law.

The most single most important single clause in the Constitution is Article VII. This is because this is where the Constitution establishes its identity as a Compact in stating: “The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.”[18]

The definition for ratification is the same today as it was back then as a legal term:

- “the act or process of ratifying something (such as a treaty or amendment) : formal confirmation or sanction.”[19]
- “The confirmation of a previous act done either by the party himself or by another; confirmation of a voidable act See Story, Ag.”[20]

Bottom line, the definition and the application of ratification in the Constitution during the framers time period is the same as it is today. Distilling this word in its application of the Constitution is, the formal process of accepting and giving force to the Constitution by the Parties to it.

The other reason why Article VII is the most important clause in the Constitution is the point in fact, that it clarifies the Parties to the Constitution, being the Sovereign States – who are the only members of the Union.

An interesting note in the legal definition is the fact that a party can void and dissolve their association. There is plenty of support for this within the Ratification Debates on adopting the federal Constitution and the Federalists Papers – but that is a separate subject for another time.

A Republican Form of Government

That short phrase that is so passionately expressed by Patriots is wholly inadequate to effectively describe the complexities of our government; however, at this juncture we need to cover the pecking order of political power to help create clarity for all seeking to restore our government into its original design. In a subsequent article we will dive into what one can refer to as the different planes of our government but for now let’s focus on the details of that pecking order.

As Madison stated in Federalist Papers # 51 in talking about creating a limited government in such a way that the government itself can guard against the dangerous centralizing of powers, he asserted:

“But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? ***If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.*** In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. ***A dependence on the***

[18] The Constitution for the United States, Article VII, https://avalon.law.yale.edu/18th_century/art7.asp
[19] The Definition of Ratification, https://www.merriam-webster.com/dictionary/ratification
[20] The Law Dictionary, https://thelawdictionary.org/ratification/

people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions."[21]

Some of the precautions that were integrated into the Constitution have been covered in our preceding articles, "What is the Real Problem,"[22] "Martial Law in the Twenty-first Century,"[23] and "The Unknown Teeth in the Constitution"[24] that lends to understanding the jurisdiction, roles, responsibilities, powers, and property as established by the States at the time of the Ratification of the Constitution for the United States. Though the entire assertion above by Madison can be emphasized, what is not emphasized needs to be highlighted specifically as Madison elucidates on the challenge the framers in the Constitutional Convention contended with as "In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself."

In stating "you must first enable the government to control the governed," the conventions solution to this was not to grant "general powers," whatsoever. The framers were well aware of the principles of powers of attorney, framed the constitution into one of a specified or limited power of attorney. A very brief historical look into the practice of powers of attorney is as follows:

"There are records that are 2500 years old from Mesopotamia, evidencing the appointment of a person to handle monies for another person, reflecting the essence of a modern Power of Attorney. From the 14th century comes the latin maxim "Qui facit per alium, facit per se" meaning, "he who acts through another, acts himself."[25]

Consequently, the concept of the application and usage of powers of attorney were profoundly understood by many of the framers. Mr. James Iredell of North Carolina, during the North Carolina ratification on the adoption of the federal Constitution stated:

"Did any man ever hear, before, that at the end of a power of attorney it was said that the attorney should not exercise more power than was there given him? Suppose, for instance, a man had lands in the counties of Anson and Caswell, and he should give another a power of attorney to sell his lands in Anson, would the other have any authority to sell the lands in Caswell? — or could he, without absurdity, say, "'Tis true you have not expressly authorized me to sell the lands in Caswell; but as you had lands there, and did not say I should not, I thought I might as well sell those lands as the other." A bill of rights, as I conceive, would not only be incongruous, but dangerous. No man, let his ingenuity be what it will, could enumerate all the individual rights not relinquished by this Constitution"[26]

Obviously he clearly pointed out that the design of specifically delegating limited powers were far superior as a "primary control" Madison referred to then granting general powers and then reserving powers and rights for the people in a Bill of Rights.

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[21] James Madison, 8 February 1788, FEDERALIST No. 51, The Structure of the Government Must Furnish the Proper Checks and Balances Between the Different Departments, From the New York Packet, http://constitution.org/1-Constitution/fed/federa51.htm

[22] What is the Real Problem, G.R. Mobley, 30 November 2019, http://www.reclaimingtherepublic.org/PDF_Docs/What_is_the_Real_Problem.pdf

[23] Martial Law in the Twenty-first Century, G.R. Mobley, 15 January 2020, http://www.reclaimingtherepublic.org/PDF_Docs/Martial_Law_in_the_Twenty-first_Century.pdf

[24] he Unknown Teeth in the Constitution, G. R. Mobley, 18 March 2020, http://www.reclaimingtherepublic.org/PDF_Docs/The_Unknown_Teeth_In_The_Constitution.pdf

[25] Powers of Attorney Have A Long History, Brief History, retrieved 15 September 2023, from https://wiki.powersofattorney.com/en/historydevbriefhistory

[26] Mr. James Iredell, 28 July 1788, Debates in the Convention of the State of North Carolina, on the Adoption of the Federal Constitution, https://constitution.org/1-Constitution/elliot.htm

Instituting Government

The necessity of stating the obvious is required. Since the beginning of the American experiment and the evolution of the Constitution for the United States, when governments are created or instituted within this Constitutional Republic, they must be instituted by the people. This means when the County governments were formed in territories that were to become States, We the People needed to establish it with a Constitution, delegating those powers necessary and proper for the County government to serve the people.

To be clear, the role and responsibility for the federal government to admitting new States in the union does not give them the power to institute government or this would be antithetical to our founding principles. This is also why when States were created under the Constitution for the United States, they were done by County Representatives.

Stating the obvious again, it seems that the framers of each county in the Union have failed to create their County Constitution. Still stating the obvious, the people still do and will always possess the power to call for a County Constitutional Convention and must to begin getting your government back into the framework of our Republican Form of Government. At the time of the expanse of Union, people failed to institute their government properly. Just because they did not get it right the first time does not mean they can't fix it now.

Suffrage

During the Constitutional Convention, there were two points that stand out as defining moments for the framers, the two S's (i.e. suffrage and slavery). The issue of slavery was no doubt paramount, but for the purposes of this article and context, this matter was initially addressed in "The Unknown Teeth in the Constitution." Subsequent details still need to come forth; however, the focus is reclaiming the republic.

The threat of adequate suffrage was imperative enough that the smaller States in attendance to the Constitutional convention asserted that forming a government solely based on the suffrage of the people was unacceptable, because this would empower states with larger populations the advantage and control over government. This is why the Virginia Plan failed and the following New Jersey plan keeping suffrage equal for the States as it was in the current AoC was equally problematic.

The concept of extending suffrage to either the State or the people had been used throughout the millennia's of civil societies, but implementing both had never been considered. The concept that both were sovereigns was not the challenge; the challenge was implementing a duality of representation without creating a political power struggle was unheard of historically.

Who are the sovereigns?

Though God is sovereign over all things, we the people as individuals are sovereigns in our own autonomous world. When our world intersects with others, our sovereignty ends where another's begins or exists. Therefore, in an effort to create a civil society, we begin to develop rules that justly protect the rights or the sovereignty of all. In essence, we begin to delegate some of our sovereignty to society. We do this when we institute government. Encapsulated in an enlightened government we institute are roles, responsibilities, powers, and property that we surrender to those who govern. When done properly, we create a symbiotic relationship with our government. Consequently, the roles, responsibilities, powers, and property we delegate

Our Republican Form of government is very unique not just because the Constitution(s) are King, but in the Sherman Compromise applied the concept of government sovereignty to account for a complex multi-level Constitutional Republic because the National Republic was not just a body of people it was a body of States that was made up of a body of counties and that We the People instituted these governments by the consent of the governed. The difficult principle is that when people is a Republican Form of government institute a government

they delegated to it – in granting their Representatives the ultimate say over those things granted. In others words of the people were Sovereign and had the ultimate say they that would be a Democratic form of government within a Republic; thus, the people cannot declare war, only Congress can. Democracies were cesspools to the framers that teetered back and forth from anarchy to despotism.

Many Americans do not understand a republican government – were the people or bodies of government elect/select representatives to represent them and exercise suffrage on their behalf. Too often, Patriots insist that the people are the only sovereigns; thus, their paradigm is one of a democratic government where the people vote on all things… creating a mob rule government. When We the People institute government and delegate to it the power to do something like war or building roads, then those representatives in government – regardless of who they represent have the sovereignty to decide whether we are going to war or where and how a road needs to be built without any involvement of the people.

In implementing a dual sovereignty or what is also referred to as a bicameral government, the two bodies of representations are separated and the power is divided appropriately to defuse any opportunity of conflict, and the RRPP's granted to each are those that are most relevant to their constituents. In our Republic the two bodies of sovereigns in our government are Representatives and Senators. The constituents of the Representatives are the people and the Senators are that body of government that created the bicameral legislative body. In context to the federal body or Congress the body of government that created it was the State Legislatures. In context to the state body legislature, the body of government that created the State was the county.

Bicameral Legislative Bodies

This is why in Sherman's Compromise was truly inspired by the Divine Hand of Providence. His design laid out the components in establishing a unique bicameral legislative body unlike any other throughout history. All Bicameral legislative bodies prior to our Constitution were similar to the Parliament in Britain at the time of the framers. To this day Parliament is still a bicameral body and like all other bicameral legislative bodies represented two classes of people. The Commons represents the all the people and these representatives are elected. The House of Lords represents the aristocracy of Britain and these representatives are appointed by the affluent in Britain.

As pointed out in context to the innovation in the design of our Constitution, bicameral legislative bodies serve as an additional check within our form of Republican government. If one understanding the danger of democracy or tyranny of a majority then once can see separating the process of who is the be represented and who and how are the legislators selected is critical. The adage "he who pays the piper calls the tune" speaks to why the State Legislature was to choose who would be representing the State's interest in the Congressional Senate; while the people in each Congressional District choose who would represent the people within the Congressional District within the Congressional House of Representatives. The Constitutional design allocated one representative per 30,000 persons and the Fourteenth Amendment shifted representation to citizens allowed to vote and at a minimum, each State would possess at least one representative.

The structure or boundaries of our government were laid out by this bicameral design, allocating equal suffrage to the States in the Senate, and then allocating in the House of Representation an apportionment based upon an equal number of citizens per representation or a minimum of one. The boundaries are based upon "We the People," and the governments we instituted to govern us. To be clear, the framers did not establish a democracy for a very specific reason to ensure the interests of the disparate people and their disparate governments they instituted had a level of protection from tyranny of a majority; thus, protecting the minority from mob-rule.

What needs to be said here is that because our Representatives are our "legislators" (those who create law and change law) when the people, the counties, or the State's elect their representative for the general government in the State or federal government (keeping in mind governments instituted by the people with the consent of the governed), then these Representatives exercise SUFFRAGE within the Representative body in legislating for whom they are there to represent. Most may marginalize the fact that these representatives exercise suffrage on behalf of those constituents who put them there; in essence this marginalizing also marginalizes the effectiveness of the checks and balances that were built into the system. Consequently it is imperative to provide a common definition of suffrage as:

1. a short intercessory prayer usually in a series
2. a vote given in deciding a controverted question or electing a person for an office or trust
3. the right of voting : FRANCHISE
4. the exercise of such right

Obviously the two applicable definitions that fit the context of this discussion are 3 and 4 above. The concept of "representatives" exercising suffrage for their constituent is not contrived in a bubble, as one understands the Senate in Congress is representing the States the States are using representatives to vote for them or vote in representing their interests. This suffrage of the States in the Senate is irrefutable due to the fact that the Constitution contain an amendment protection clause that ensure a "State" as a sovereign cannot lose its suffrage without its consent is embossed in Article V of the Constitution that states:

"Provided, that no amendment which may be made prior to the year 1808, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and **that no state, without its consent, shall be deprived of its equal suffrage in the Senate**."

The first part ensured that the union could not pass an Amendment that would stop the implementation of ending the Slave Trade and the second part of the Amendment Protection clause our focus that the Constitution ensure that an Amendment could not be passed taking away the States suffrage without their consent; thus those States (seven in total) who did not ratify (accept) the Seventeenth Amendment are not bound to the amendment and can continue appointing their Senators. Even though the focus is our Republican Form of government the reader may find solace in the fact that the Seventeenth Amendment does not need to be repealed it can be rescinded; however, if one wants more info on how to rescind, please let me know.

Fundamental in Sherman's Compromise the upper body represented the sovereign body of government creating the nations Constitution. As an aside, prior to our Constitution our independent States were nations like all other States of Europe after the Revolutionary War and our Governors were equal to Kings and the other forms of heads of states. These States were not instituted by the people these States were initially established by Charters by the monarchs of Britain. Their independence drove them all to form their own Constitutions prior to instituting our current Constitution for the United States.

The Model of a Republican Form of Government in America

At the risk of being redundant, according to our Declaration of Independence, our local governments are to be instituted by the people. Our State governments are instituted by our local governments empowering representation to delegates to form the State government, just like the State governments empowered representation from the people of the State to represent the State in the federal convention. In some cases the representation can either be appointed or elected.

The Supreme Law of the land is the Constitution for the United States. Our Constitutions delegate specific powers and not general powers, which is why all laws made must be made in pursuance to those powers delegated within the Constitution(s), not powers assumed, implied, or ordered.

Again, Madison's comment in Federalist Paper #51 cited above regarding the "In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself." The integral part of the "framing of government" within the Constitution is the establishment of a bicameral legislative body, is what is referred to today as a check and balance. The separation of suffrage was considered by those who long have been enemies of the Constitution attacked this check and balance by passing the Seventeenth Amendment. Putting aside blatant discrimination within the State's the implementation dual sovereignty in bicameral legislatures in the States has proven to be a buttress against attacks on individual liberty and individual sovereignty for almost two centuries. This is why the progressives used the courts to assume jurisdiction they did not have, to attack this bulwark of liberty – wiping out this bastion of our unique form of American republicanism in the 1960's. The reason they were successful in perverting our government was due to the inculcation of democracy – which ironically was the mantra of the time establishing an unconstitutional principle called "one person one vote."

The Apostate Version of our Republican Form of Government

Sadly, today the American definition of a republican form of government falls seriously short of how the framers designed it. That said based on the subversive "Annotated Constitution," which is a version of the Constitution that is referred to today as the U.S. Constitution, where the federal government attempts to redefine every line and clause in the Constitution. The following is a full excerpt on how the federal government chooses to redefine a Republican Form of Government by stating:

1. "Although the Supreme Court has generally avoided addressing Guarantee Clause questions because of their political character, it has occasionally ruled on the merits of such challenges. These decisions, as well as contemporaneous sources, shed some light on the meaning of the Republican Form of Government guaranteed by the Clause. For example, in the Federalist No. 39, James Madison emphasizes popular sovereignty and majoritarian control as among the distinctive characters of the republican form:
2. '[W]e may define a republic to be, or at least may bestow that name on, a government which derives all its powers directly or indirectly from the great body of the people, and is administered by persons holding their offices during pleasure, for a limited period, or during good behavior. It is ESSENTIAL to such a government that it be derived from the great body of the society, not from an inconsiderable proportion, or a favored class of it; . . . It is SUFFICIENT for such a government that the persons administering it be appointed, either directly or indirectly, by the people; and that they hold their appointments by either of the tenures just specified[.]'
3. The 1874 case of Minor v. Happersett represents a rare instance of the Supreme Court directly deciding a Guarantee Clause issue. In Minor, the Court addressed whether Missouri's denial of the right to vote to women complied with the Constitution. The Court stated that the Guarantee Clause leaves room for states to structure their governments in various ways yet remain republican. Relying on historical practice as dispositive of the matter, the Court held that the Guarantee Clause did not require women's suffrage because at the time of ratification, women were excluded from suffrage in nearly all the States, with the franchise only bestowed upon men and not upon all of them. Later, the Court held in Forsyth v. City of Hammond that the Guarantee Clause did not prevent a state from determining municipal boundaries through its courts instead of the state legislature.
4. In other cases, the Court found occasions to opine on the nature of a republican government guaranteed by the Clause in dicta. For example, In re Duncan observes:

5. By the constitution, a republican form of government is guarant[eed] to every state in the Union, and the distinguishing feature of that form is the right of the people to choose their own officers for governmental administration, and pass their own laws in virtue of the legislative power reposed in representative bodies, whose legitimate acts may be said to be those of the people themselves . . . .

6. Similarly, the Court in United States v. Cruikshank, while adopting a narrow construction of the rights secured by the Fourteenth Amendment's Privileges or Immunities Clause, stated that a republican form of government includes a right on the part of its citizens to meet peaceably for consultation in respect to public affairs and to petition for a redress of grievances as well as the equality of the rights of citizens."[27]

Paragraph numbering is added for citation purposes.

Obviously, in the first paragraph it appears common knowledge that SCOTUS are the alleged repository of knowledge concerning the mysteries of the Constitution – when in fact there are no mysteries. Everything one needs to know and seeks to understand about the Constitution can be found in the Ratification Debates and due to the fact that these are the contractual descriptions, terms, and definitions – only the Ratification Debates are the legally bound definitions, jurists opinions are not legally bound, they are simply opinions. This is why over time the opinions creep in various directions and since the progressive era of the early twentieth century, the opinions have become far more radical and far more dangerous to liberty.

The underlined portion of paragraph two clearly fails to point out that the powers are limited to those enumerated and not open to administration "by persons holding their offices during pleasure, for a limited period, or during good behavior." By the sleight of hand the curators of this document cast a belief that our governments possess general unlimited powers.

The underlined portion of paragraph three grants the courts powers not delegated in allowing the court to determine municipal boundaries instead of the state or county legislators.

The underlined portion of paragraph 5 reiterates and further supports the concept of a government with general powers not one defined and limited.

Finally with regard to paragraph six, the referenced court case clearly lays out how the federal government is directly perverting the Constitution citing this "narrow construction of the rights secured by the Fourteenth Amendment's Privileges or Immunities Clause." This is where the court and the federal government is literally redefining the Constitution to obviate the unalienable rights of U.S. citizens as well as the perversion of a "republican form of government." At this point one could write a voluminous dissertation from the empirical data available; however, the following points are submitted as others who have done this already:

Professor Kurt T. Lash, wrote a three part scholarly paper in 2009, titled "The Origins of the Privileges or Immunities Clause." An abstract of his work states:

"Historical accounts of the Privileges or Immunities Clause of Section One of the Fourteenth Amendment generally assume that John Bingham based the text on Article IV of the original Constitution and that Bingham, like other Reconstruction Republicans, viewed Justice Washington's opinion in Corfield v. Coryell as the definitive interpretation of Article IV. According to this view, Justice Miller in the Slaughterhouse Cases failed to follow both framers' intent and obvious textual meaning when he sharply distinguished Section One's privileges or immunities from Article IV's privileges and immunities."[28]

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[27] Annotated Constitution, https://constitution.congress.gov/browse/essay/artIV-S4-3/ALDE_00013637/

[28] Lash, Kurt, The Origins of the Privileges or Immunities Clause, Part II: John Bingham and the Second Draft of the Fourteenth Amendment (February 28, 2010). 99 Georgetown Law Journal 329 (2011), Available at SSRN:

Not only has the bench blatantly perverted the true meaning of the Fourteenth Amendment to keep We the People under their control, while the progressives in all aspects of our government and justice system have been using the same clause in Section 1 of the Fourteenth Amendment against us. With one side of their mouth they tell you that the State can pass laws to restrict your right to bear arms, because the Bill of Rights only applies to the federal government and out of the other side of their mouth they have been dismantling crosses, removing bibles, ending Christian prayer in public, and changing institutions names because of the Christian character of the name. They do this, because they say this violates the Establishment Clause, which is a part of the Bill of Rights that truly only applies to the federal government because every State in the Union had a State sponsored church at the time of the Ratification of the federal Constitution:

State	Church	Established	Retired
Virginia	Anglican/Church of England	1606	1830
New York	Anglican/Church of England	1614	1846
Massachusetts	Congregational Church	1629	1833
Maryland	Anglican/Church of England	1632	1867
Delaware	Christian non-denominational	1637	1792
Connecticut	Congregational Church	1639	1818
New Hampshire	Congregational Church	1639	1877
Rhode Island	Christian non-denominational	1643	1842
South Carolina	Anglican/Church of England	1663	1868
North Carolina	Anglican/Church of England	1663	1875
Georgia	Protestant	1663	1798
Pennsylvania	Christian non-denominational	1681	1790
New Jersey	Protestant	1702	1844

As one can see, the original thirteen States did not disband their State sponsored church because the First Amendment Establishment Clause did not apply to them, only the federal government. One can even see that Maryland, New Hampshire, North Carolina, and South Carolina all maintained their churches after the Fourteenth Amendment.

This also begs the question as to how these laws that demanded the alleged separation of Church and State are created, when the First Amendment clearly constrains the federal government from passing ***any law*** respecting religion nor have the States delegated ***any power*** in the Constitution to the federal government regarding religion? A repository of First Amendment petitions for the redress of grievances has been established that proves that powers not delegated can be assumed, these petitions also proves the limitations of the court jurisdiction is also tied to the enumerated powers, and there is also a petition that proves the federal court can

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https://ssrn.com/abstract=1561183 or http://dx.doi.org/10.2139/ssrn.1561183

not create a law, only Congress can do this and yet lawyers and judges in our alleged legal system stand with pride as to how they have not only shaped law but create and confirm its creation.

Before moving on, the requirement to expound further on the legal arguments that have proven the courts and federal governments unconstitutional "annotated Constitution" attempts to redefine the Constitution and its amendments, flat out violate the fundamental tenants of contract law. The Constitution being a compact is not subject to redefining or what some refer to as a living document left to interpretation by oracles in black robes. This who purports this paradigm is lying. When it comes to compacts, contracts, treaties, etc. the language in the compact along with the clarifications of the terms, conditions, and definitions of the compact during the process of ratification are the only legally binding terms and definitions by the parties to the compact and in this case with the Constitution for the United States, this would be the States ***not*** the federal government.

When a matter arises, where a federal jurist, Congress, or the President do not have a clear understanding, this is more commonly due to the fact that the matter creating the question is not within the federal governments powers or jurisdiction. If on the rare occasion, a federal court, Congress, or the President lack clarity on the matter – their first and only step is to consult the Ratification Debates as that clause was defined in the ratification process or in the debates to one State or multiple States; or with regard to amendments, how the proponents defined the amendment during Congressional Debates. If by rare chance the matter within the Constitution was not clarified, then the federal government would need to petition the State legislatures for guidance as to how they would need to proceed since the States are the only Parties to the Constitution. The federal government has zero power to assume and there is an adage about assumptions that would apply to this form of assuming.

As if the Supreme Law of the Land is not really the Supreme Law of the Land – except when they (i.e. the gods in black robes) allow it. Of course this is in direct conflict with how the jurisdiction of the courts were defined to the State's at the time of its ratification, the article *Constitutional and Legal Jurisdictional Limitation on the General Government*,[29] provides both Constitutional and academic context to the limitations on the federal court, including court cases that break away from the prevailing paradigm of self-aggrandizing of jurisdiction. There is also a First Amendment Petition regarding the separations of powers titled the *First Amendment Petition For Redress of Violations of Legislative Authority and the Separation of Powers Within the Constitution for the United States*,[30] that irrefutable proves the federal court cannot create law and we are not aware of one State in the Union where the counties delegated that power in the creation of the State Constitution. Furthermore, this Petition irrefutable proves that no court in the world can redefine the terms and definitions of the compact, as the bedrock of contract law from its inception, this power is strictly reserved to the Parties of the compact, especially when Parties provide clear and concise terms and definitions to their compact and what each clause means.

Bottom line, based on the blatant distortions of the legal terms and definitions of the Constitution for the United States that were provided by the framers during the Ratification Debates, the federal governments Annotated is a tool the federal government created unconstitutionally to redefine the Constitution that directly contradicts the legal terms and definitions. The Annotated Constitution is critical source and tool of the federal government to continue to usurp RRPPs as well as States powers and the liberty of "We the People." This abomination must be obliterated because of its perverse nature of redefining that which was legally defined at the time of

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[29] Constitutional and Legal Jurisdictional Limitation on the General Government, G.R. Mobley, 27 April 2022, http://www.reclaimingtherepublic.org/PDF_Docs/ConstitutionalandLegalJurisdictionalLimitationontheGeneralGovernment.pdf

[30] First Amendment Petition For Redress of Violations of Legislative Authority and the Separation of Powers Within the Constitution for the United States, September 2023, http://www.reclaimingtherepublic.org/PDF_Docs/Petitions/Petition008ForRedressOfViolationsOfLegislativeAuthority.pdf

ratification. In 1821, John G. Jackson sent a letter to a family friend, James Madison, speaking for a group of men who were concerned with the direction of the federal government and courts. He asked Madison for a copy of his personal notes on the Constitutional Convention, to see how those men at the Constitutional Convention understood those parts of the Constitution that has come into question. Madison's reply was congruent with the tenants of contract law and consistent with his professional career in stating:

"But whatever might have been the opinions entertained in forming the Constitution, it was the duty of all to support it in its true meaning as understood by the Nation at the time of its ratification. No one felt this obligation more than I have done; and there are few perhaps whose ultimate & deliberate opinions on the merits of the Constitution, accord in a greater degree with that obligation."[31]

These two sentences contradict the jurists, the politicians, and bureaucrats who all have sought to aggrandize their RRPPs all at the expense of liberty; consequently, the greatest atrocity committed against our republican form of government and the rule of law, has been the shared efforts of the courts, historians, and our representatives in obfuscating the Ratification Debates into obscurity – instead of promoting them as the greatest national treasure for all time.

In order to end the discussion as to the authority and jurisdiction of the federal court and why it cannot hear or rule on a case regarding a matter that is not enumerated or a federal violation of the compact, James Madison clarifies this in his report on the Virginia Resolutions of 1800 to the committee of correspondence within the Virginia State legislature; to explain how the sibling states were wrong in the decisions and insinuations regarding the principles of ***interposition*** that Mr. Madison and Thomas Jefferson were seeking. In the following Mr. Madison spells out the nature of compacts that the Parties (collective) were the ultimate authority and final arbiter over the Constitution is asserting:

"It appears to your committee to be ***a plain principle, founded in common sense, illustrated by common practice, and essential to the nature of compacts, that, where resort can be had to no tribunal superior to the authority of the parties, the parties themselves must be the rightful judges, in the last resort, whether the bargain made has been pursued or violated***. The Constitution of the United States was formed by the sanction of the states, given by each in its sovereign capacity. It adds to the stability and dignity, as well as to the authority, of the Constitution, that it rests on this legitimate and solid foundation. ***The states, then, being the parties to the constitutional compact, and in their sovereign capacity, it follows of necessity that there can be no tribunal, above their authority, to decide, in the last resort, whether the compact made by them be violated***; and consequently, that, as the parties to it, ***they must themselves decide, in the last resort, such questions as may be of sufficient magnitude to require their <u>interposition</u>***."[32]

Towards the end of the Report on the Virginia Resolutions, Mr. Madison goes into meticulous detail as to why the federal court, especially the Supreme Court, cannot be entrusted with any involvement in arbitrating the proper final outcome. The detail he provides in response to those other State Legislatures who were insisting that the federal court was the last resort in resolving matters between the States and the federal government as laid out in his concluding remarks with this report in the following paragraphs:

First, Madison states that if the States cannot interpose a suitable remedy, the all would be lost including State Sovereignty and Independence:

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[31] Letter from James Madison to John G. Jackson, James Madison, 28 December 1821, https://founders.archives.gov/documents/Madison/04-02-02-0367

[32] Report on the Virginia Resolutions, James Madison, January 1800, Para 18, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html

"If the deliberate exercise of dangerous powers, palpably withheld by the Constitution, could not justify the parties to it in interposing even so far as to arrest the progress of the evil, and thereby to preserve the Constitution itself, as well as to provide for the safety of the parties to it, there would be an end to all relief from usurped power, and a direct subversion of the rights specified or recognized under all the state constitutions, as well as a plain denial of the fundamental principle on which our independence itself was declared."[33]

The next few paragraphs, Madison addresses the other state legislatures insinuations that the States must unconstitutional surrender their sovereignty to the federal court – where in fact this concept alone, had it been presented to the States as an integral part of the Constitution, the States would have rejected this Constitution. However, Madison's focus is strictly contractual and based upon the design of the Constitution in stating:

"But it is objected, that the judicial authority is to be regarded as the sole expositor of the Constitution in the last resort; and it may be asked for what reason the declaration by the General Assembly, supposing it to be theoretically true, could be required at the present day, and in so solemn a manner.

On this objection it might be observed, first, that there may be instances of usurped power, which the forms of the Constitution would never draw within the control of the judicial department; secondly, that, if the decision of the judiciary be raised above the authority of the sovereign parties to the Constitution, the decisions of the other departments, not carried by the forms of the Constitution before the judiciary, must be equally authoritative and final with the decisions of that department. But the proper answer to the objection is, that the resolution of the General Assembly relates to those great and extraordinary cases, in which all the forms of the Constitution may prove ineffectual against infractions dangerous to the essential rights of the parties to it. The resolution supposes that dangerous powers, not delegated, may not only be usurped and executed by the other departments, but that the judicial department, also, may exercise or sanction dangerous powers beyond the grant of the Constitution; and, consequently, that the ultimate right of the parties to the Constitution, to judge whether the compact has been dangerously violated, must extend to violations by one delegated authority as well as by another--by the judiciary as well as by the executive, or the legislature."[34]

In the third to last paragraph of the report, Mr. Madison concludes the salient point of the consequences of states surrendering their sovereignty to the federal courts and ultimately to the federal government in stating:

"However true, therefore, it may be, that the judicial department is, in all questions submitted to it by the forms of the Constitution, to decide in the last resort, ***this resort must necessarily be deemed the last in relation to the authorities of the other departments of the government; not in relation to the rights of the parties to the constitutional compact, from which the judicial, as well as the other departments, hold their delegated trusts. On any other hypothesis, the delegation of judicial power would annul the authority delegating it; and the concurrence of this department with the others in usurped powers, might subvert forever, and beyond the possible reach of any rightful remedy, the very Constitution which all were instituted to preserve.***"[35]

Mr. Madison, in the second to last paragraph concludes pointing out the importance of constant state oversight over their compact (i.e. the Constitution for the United States) based upon the fundamental tenants of contract law in stating:

[33] Report on the Virginia Resolutions, James Madison, January 1800, Para 22, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html

[34] Report on the Virginia Resolutions, James Madison, January 1800, Para 23 & 24, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html

[35] Report on the Virginia Resolutions, James Madison, January 1800, Para 25, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html

"The truth declared in the resolution being established, the expediency of making the declaration at the present day may safely be left to the temperate consideration and candid judgment of the American public. It will be remembered, that ***a frequent recurrence to fundamental principles is solemnly enjoined by most of the state constitutions, and particularly by our own, as a necessary safeguard against the danger of degeneracy, to which republics are liable***, as well as other governments, though in a less degree than others. ***And a fair comparison of the political doctrines not unfrequent at the present day, with those which characterized the epoch of our revolution, and which form the basis of our republican constitutions, will best determine whether the declaratory recurrence here made to those principles ought to be viewed as unseasonable and improper, or as a vigilant discharge of an important duty. The authority of constitutions over governments, and of the sovereignty of the people over constitutions, are truths which are at all times necessary to be kept in mind; and at no time, perhaps, more necessary than at present***."[36]

In the subsequent section "The County in the Design" we will disclose why this report is one of the most revealing documents that helps the layman clearly understand why Article VII, as asserted earlier, is the most important part of the Constitution, because it clarifies who has the sovereignty and legal authority over the Constitution itself… and it's not the federal government, it is the States.

In addition to this, one must keep in mind the issue that caused Jefferson and Madison to sound such urgent alarm to the other States. They were standing up to the Alien and Sedition Acts of 1798. These men understood the erosive nature of politics and government when public servants (in Republics public servants are the epitome of our government) seek to breach the Constitution and or usurp RRPPs. As Washington pointed out in his Farewell Address to the nation, he pointed out how liberties are lost and governments destroyed when the people allow public servants do things with good intentions:

"If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."[37]

Consequently, one may presume the tenor of Madison and Jefferson's assertions as hyperbole of the time; however, this has proven to be unequivocally accurate regarding the erosive nature of politics and government when our public servants seek to breach the Constitution or usurp RRPPs not delegated. Ironically, Jefferson's final comments promulgated in the Kentucky Resolutions of 03 December 1799, were the sentiments that placed the Union as paramount, but these were not words of surrender. Following this set of Resolutions, James Madison and Thomas Jefferson, set out to execute a public relations coup against the Federalists sitting in State and federal seats. As such, in the following year of 1800, election these men, using Jefferson and Madison's "Republican Party" established on a trip to New England in the summer of 1791[38], successfully removing the sitting President, and enough members of Congress and State Legislatures to change the course of the nation and restore the Constitutional framework of government without having to force interposition upon the federal government.

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[36] Report on the Virginia Resolutions, James Madison, January 1800, Para 26, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html

[37] Washington's Farewell Address 1796, George Washington, 1796, https://avalon.law.yale.edu/18th_century/washing.asp

[38] Jefferson and Madison create a party - summer 1791, American History from Revolution to Reconstruction and Beyond, University of Groningen, http://www.let.rug.nl/usa/biographies/alexander-hamilton/jefferson-and-madison-create-a-party---summer-1791.php

Our Constitutions Are King

Again, as cited above, John Adams in his Thoughts on Government echoed the prevailing paradigm on a Republican Form of government as "the very definition of a Republic, is "an Empire of Laws, and not of men."[39]

Expanding on what a basic republican form of government is throughout the world today is one that contains representatives of the people as well it being based on the "rule of law" where the law is King not a person, not a blood line, not an office, not an ideology, etc. Though everyone asserts they understand what a representative government is to understand the United States Republican Form of Government one must place context to representation and the best contrast to republicanism is democracy. The appeal of a democracy is the convincing one they have equal say or suffrage; however, democracy is tantamount to anarchy and mob rule with no regard to societal safe guards. In other words democracies will always evolve to its utter destruction or transform into totalitarian despotism, and will never obtain the utopian bliss its proponents purport. In a democracy, the laws and all matters must come before the people to vote on the issue.

It can be said, that democracy is a pure form of full sovereignty in the people it can equally be said that full sovereignty in the people is anarchy. Bottom line, this is the epitome of a carnal government where no constraints exist. The desires of the mob will always be in play, which is why a democratic society is the antithesis of an enlightened society, because an enlightened society embraces discipline and constraint.

Suffice it to say, the key in government that serves the people best is a government that the least possible for the people. Self-reliance is a bedrock principle to an enlightened society; consequently, the intent is to transfer limited and specified suffrage to the representatives of the sovereigns who only possess the essential powers to accomplish the necessary functions of government to protect the sovereignty of the sovereigns and the sovereignty that has been delegated to government.

The Objects of Government

The Declaration of Independence provides clarity to the purpose severing our connection to Britain and established the pinnacle of a free society is stating

"That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, **to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government…** But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, **it is their duty, to throw off such government, and to provide new guards for their future security."**

two principle objects of government are the protect the lives of the citizens and to protect their property and their property rights.

The Constitutional Structure of Our Government and Politics

Our government structure or how we are governed and interface with government can be The framers were very familiar with the tyranny of a majority – or the concept of mob rule; more importantly, the necessity of protecting the minority to develop and maintain harmony in the Union.

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[39] Thoughts on Government, John Adams, Apr 1776, https://press-pubs.uchicago.edu/founders/documents/v1ch4s5.html

The Protection of the Minority

The framers were very familiar with the tyranny of a majority – or the concept of mob rule; more importantly, the necessity of protecting the minority to develop and maintain harmony in the Union.

The Structure of our Government and Politics

Obviously, there was a lot of focus and citations on the fact that the Constitution for the United States is simply a compact written for and by the States. The same must be said about the States. The creation of our multi-tiered government with fixed RRPPs, places a fixed relationship that can be akin to a genealogical order. The roots of our governments, as established in the Declaration of Independence are – our governments are instituted by "We the People." This resonates specifically in context to our County governments. In tandem with our County governments "We the People," under the auspices of our County governments (collectively) in a territory or State establish and legitimize our State Government, which in turn under the auspices of our State governments (collectively) established our federal government.

Bottom line, the structure of the nation's government and politics is: [the Senate – representing the State's suffrage] and [the House of Representatives – representing the citizens of the State's suffrage] in Congress. In line with this galvanized paradigm, the structure of the State's government and politics is: [the state Senate – representing the County's suffrage] and [the House of Representatives – representing the citizens of the County's suffrage] in the State legislature. Again, because "We the People" institute our governments and delegate them sovereigns over those powers delegated, our governments are entitled to suffrage through their own representation just like "We the People."

As asserted earlier in this article, the original thirteen states were formed by a Charter and the Sovereign that established these entities that were once colonies and now States was the monarchy of Britain. The logical question is "what and how new States would be able to join the union," which requires one to revisit the enumeration of RRPPs within the Constitution. We already know that States are established once the admission criterion for a State to join the Union has been met, they are created by the people of the Counties and the County government. This was the evolutionary process of territories needing to be organized; therefore, the federal government inserted a managerial government with some security forces to defend the territory and in the areas where populations accumulated, counties were formed, by the people.

Territories Are Not an Enumerated Power

The specific powers and properties delegated to the general government are enumerated in Article I Section 8. The enumerated properties delegated to the general government are:

"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***."

There is no enumeration for the federal government to permanently possess a territory. We already cited the article titled "Constitutional and Legal Jurisdictional Limitation on the General Government,"[40] that goes into this with a myopic focus. Suffice it to say Article IV Section 3, is the role and responsibility for the federal government for admitting States into the Union. It states:

"New States may be protect admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more

[40] Constitutional and Legal Jurisdictional Limitation on the General Government, G.R. Mobley, 27 April 2022, http://www.reclaimingtherepublic.org/PDF_Docs/ConstitutionalandLegalJurisdictionalLimitationontheGeneralGovernment.pdf

States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular state."[41]

The beginning or first paragraph identifies the role and responsibility to serve the Union to admit States into the Union. The mention of territory comes in the administrative matters in managing potential territory to become a State This is not an enumeration of authority to permanently possess territorial land – only an allowance to create "needful Rules and Regulations" while the federal government is managing and preparing a territory to become a State. During the Ratification Debates Governor spoke on the "Prejudice any Claims" portion of Section 3. In the first case he was speaking of the forming of a treaty and navigational rights of the Mississippi, in stating:

"But there is an expression which clearly precludes, the general government from ceding the navigation of this river. In the 2d clause of the 3d section of the 4th article, Congress is empowered "to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States." But it goes on, and provides that "***nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or any particular state***." Is this a claim of the particular state of Virginia? If it be, there is no authority in the Constitution to prejudice it. If it be not, then we need not be told of it. This is a sufficient limitation and restraint. But it has been said that there is no restriction with respect to making treaties. The various contingencies which may form the object of treaties, are, in the nature of things, incapable of definition. The government ought to have power to provide for every contingency. The territorial rights of the states are sufficiently guarded by the provisions just recited. *If you say that, notwithstanding the most express restriction, they may sacrifice the rights of the states, then you establish another doctrine — that the creature can destroy the creator, which is the most absurd and ridiculous of all doctrines*."[42]

The paramount matter here is the simple principle of State Sovereignty and the severance of federal authority once a State is admitted into the Union – each State is admitted with full sovereignty and equal footing with all other Parties to the Constitution. There is no allowance for the federal government to subjugate a State by withholding any of its property other than for "the erection of forts, magazines, arsenals, dock-yards, and other needful buildings." This means that the federal government can allocate and lease land for military (i.e. national security) purposes but they have no power or authority to possess, operate, or reserve any land within a State whatsoever.

Sometimes we learn more from failures of government then one could surmise, such as Thomas Jefferson's failed amendment to the Constitution for the Unites States in 1803. Some may remember the Louisiana Purchase and what it meant to securing the Union from external threats. As such, Thomas Jefferson wanted to grant lands that were a part of the purchase to the Indian tribes of America. The problem was this power did not exist within the Constitution and knew that could not use a treaty to prejudice the Unions claim to this land. Keep in mind, everything the federal government did was to serve the interests of the States. Obviously it is not that way today, but the framers profoundly understood that the federal government was an agent whose existence was to serve and protect the states and their interests. The federal government had no other mission but to serve the States.

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[41] The Constitution for the United States, Article IV Section 3, https://avalon.law.yale.edu/18th_century/art4.asp#4sec3

[42] Governor Randolph, 13 June 1788, Debates in the Convention of the State of Virginia, on the Adoption of the Federal Constitution. https://constitution.org/1-Constitution/elliot.htm

The point of Jefferson's amendment was to allow the federal government to give land to the Indians. This is because this power is not enumerated; therefore that ability to create a State or territory to grant land to the Indians was required in the form of an Amendment to the Constitution for the federal government to legitimately do this. All land procured or leased by the federal government is done so for the States by their agent the federal government to fulfill their responsibility in serving the Union. As Jefferson refers to Congress as the Legislature of the Union in the second paragraph he seeks to give Congress the power to:

"have authority to exchange the right of occupancy in portions where the U. S. have full right for lands possessed by Indians within the U. S. on the East side of the Missisipi, to exchange lands on the East side of the river for those on the West side thereof and above the latitude of 31 degrees; to maintain in any part of the province such military posts as may be requisite for peace or safety; to exercise police over all persons therein, not being Indian inhabitants; to work salt springs, or mines of coal, metals and other minerals within the possession of the U. S. or in any others with the consent of the possessors; to regulate trade and intercourse between the Indian inhabitants and all other persons; to explore and ascertain the geography of the province, its productions and other interesting circumstances; to open roads and navigation therein where necessary for beneficial communication and to establish agencies and factories therein for the cultivation of commerce, peace and good understanding with the Indians residing there."[43]

Prior to the Revolutionary War, Britain became hostile toward the American Colonies and as such, they exploited their treaties with the Indian Tribes creating strategic positions that frustrated the colonists especially in the decades leading into the Revolutionary War. The Britain monarchs were notorious in exploiting conflicting powers; this was actually documented in Thomas Jefferson's original draft of the Declaration of Independence stating:

"*He has waged cruel war against human nature itself, violating it's most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating & carrying them into slavery in another hemisphere*, or to incur miserable death in their transportation thither. This piratical warfare, the opprobium of INFIDEL Powers, is the warfare of the CHRISTIAN king of Great Britain. *Determined to keep open a market where MEN should be bought & sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce*. And that this assemblage of horrors might want no fact of distinguished die, *he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on whom he also obtruded them*: thus paying off former crimes committed against the LIBERTIES of one people, with crimes which he urges them to commit against the LIVES of another."[44]

Britain's Monarchs manipulation of the Indian Tribes wasn't any different, as summarized by Encyclopedia:

"Between 1754 and 1829, British policies toward native North Americans sought three key objectives: recruitment and supply of native military allies; regulation of trade and diplomacy; and protection of native peoples' territorial integrity through negotiated settlement boundary lines. Although these policies played a crucial role in the British victory over France in the Seven Years' War (1756–1763), they rapidly fell into disfavor among the settler population of British North America after 1763. By 1776, colonists' discontent with imperial oversight of Indian affairs constituted a significant grievance against Great Britain. In the aftermath of the Revolutionary War (1775–1783), the ongoing influence of the British Indian Department in Canada with native

[43] Thomas Jefferson, 1803, Jefferson's Draft on an Amendment to the Constitution, https://avalon.law.yale.edu/19th_century/jeffdraf.asp

[44] Declaring Independence: Drafting the Documents, Thomas Jefferson, 1776, Jefferson's "original Rough draught" of the Declaration of Independence, https://www.loc.gov/exhibits/declara/ruffdrft.html

peoples in the United States was viewed by many Americans as a threat to the survival of the Republic itself. Only after the Treaty of Ghent (1814) ended the War of 1812 (1812–1815) did the British cease to pursue alliances with Native Americans as a means of checking American expansionism."[45]

The point in fact is that the Constitution did not establish a policy one way or another for the development of relationships with the Indians. A rough distilling would break down the policy focus as follows:

- 1789 – 1828 assimilation and coexistence
- 1829 – 1886 removal and reservations
- 1887 – 1932 assimilation
- 1932 – 1945 reorganization
- 1945 – 1960 integration
- 1961 – present manipulation into woke revisionist history

An academic history book that challenges the revisionists view of American history is *A Patriot's History of the United States* by Larry Schweikart & Michael Allen.

Clearly, the United States inherited a mess and clearly the Constitution did not grant any authority to the federal government to get involve nor did it define specific outcomes, only matters regarding apportionment (excluding Indians not taxed) in Article I Section 2 and in Article I Section 8, regarding the regulating commerce to and from Indian Tribes. Needless to say, other than stating the obvious that we will have some messes to clean up, the point is that the federal government had no authority to maintain Indian reservations once Statehood of a given State was established. Treaties could not be used to prejudice a States claim to its land regardless the intent.

There is no authority granted to the general government to determine anything regarding the State such as making a state a slave state or even determining its law system. States like ALL states in the world are Sovereign and have the ability to determine their own destiny and their circumstance. All states that joined the union determined that common law would be the law of the State, expect for Louisiana. Consequently, when the Missouri Compromise was established as law appointing slave to all States in the union that were south of the Mason Dixie line were required to be Slave States. What is important about this is the fact that this was determined after the Civil War as an unconstitutional assumption by the general government. The power that was granted was the power to dispose and to make needful Rules and Regulations for the territory prior to the territory transitioning into a Sovereign State.

The Uniformity Clause

The Doctrine of uniformity was straight forward, the federal government was to be impartial and to treat each State equally and treat each State equally. They were not allowed to take favorites or to give advantages a State or group of States as well as treating one foreign polity, or group of people better than others. This is why they were required to create laws that established a uniform Rule of Naturalization to ensure all nations and people had equal opportunity to immigrate to and become a citizen of the United States. They also were required to ensure that all States and polities within the United States and the people had equal punishment or obligations in regard to debt and bankruptcy. More specifically, the uniformity clause in Article I Section 8 requires that all State were to be treated equal making them coequals in the compact with uniform taxes and or burdens placed upon them by the general government. The Uniformity Clause is the preamble to the delegation of powers stating:

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[45] American Indians: British Policies, Encyclopedia.com, https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/american-indians-british-policies

“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and, 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;”

Duties are direct taxes placed upon the State, Imposts are taxes placed on imported goods into the U.S. and excise tax is placed upon a commodity or item purchased like liquor, tobacco, tires, etc. The most important point is that the general government could not treat one State differently than another. In other words, the federal government could not give one State an advantage over the other States such as the unconstitutional welfare program like the Troubled Assets Relief Program (TARP) bailouts in 2008 nor could they create a disadvantage upon a State such as the unconstitutionally seized assets like mineral rights, forests, etc. Again, constitutionally, the federal government can only act within those few and defined RRPPs enumerated in the Constitution for the United States.

A burden placed upon one State had to first be enumerated in the Constitution for the United States and also applied to all States and in concert with those RRPPs enumerated regarding land; therefore, there is no mention in the Constitution for the federal government to possess or operate within a State in the union a Park, refuge, forest, dessert, habitat, or even a reservation. For that matter the general government did not have the authority to subordinate States, the States are the sovereigns over the Constitution.

What about the County?

Ironically, the one government “We the People” marginalized in instituting is also the most ignored and yet it is the most relevant and important to our everyday lives. If there was any government within this multi-tiered hybrid Constitutional Republic that could truly was established and formed by We the People it is the County or Parrish governments. This is the one government that merits our greatest scrutiny and also our most powerful government. The focus of our political energy was to be with our local government where the flow of political power was greatest in our local governments, because it is best qualified to positively affect our lives if it is our control. The reality, the people of the time created a limited State government that did not have the power to do much. This is because no one in the nineteenth century imagined that government would take over so many aspects of our lives.

Consequently, the counties are the foundation and source of our States governments. Accordingly, when Vermont, Kentucky, Tennessee, and Ohio joined the union, they were already territories of existing States; therefore, they already created their counties and were already familiar with the convention/process of creating a Constitution and a State government. This changed due to the fact that Louisiana formed parishes and was previously a colony of Spain and then France before the Louisiana Purchase.

Again, the fundamental tenant of contract law is the parties that form a compact are the sovereigns over the compact. The people collectively did not form the State compacts, this was done by representatives of the counties, and the counties just like the States were delegations. Thus, each county should have one vote in the State Constitutional Conventions as the delegates from the State’s did during the Constitutional Convention in forming the government and federal Constitution. Remember, sovereign governments regardless of population were and should always be equally footed with its sibling sovereign governments, whether it is States or Counties.

To review of our government and how “New States” were to be created under the Constitution for the United States would be as follows:

1. The general government would establish a territory like the Louisiana Territory

2. The general government would then delineate boundaries for States to be formed in the vast territory
3. In accordance with Article IV Section 3 the general government would establish a territorial government
4. As people migrate into the territory the people institute a County with the funding and assistance of the general government to create a seat of government and provide a sheriff, a county court and other necessary objects to support the county.
5. As populate grows new counties are formed until the State reaches a population of 60,000.
6. At this point (after 1816) the people of the territory through their counties request and application for the territory to become a State and the government general government would generate an "Enabling Act" directing the people of the counties in the State to convene a convention with delegates to form a Constitution and to form their government.

Enabling Acts:

The admitting of a State into the union was initiated by an Enabling Act. The Enabling to admit Indiana into the union in 1816 followed the admission of Louisiana in 1812. The Indiana Enabling Act added the following specifications/direction for the territory to be admitted into the union:

"persons having in other respects the legal qualifications to vote for representatives in the general assembly of the said territory be, and they are hereby authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties within the said territory, according to the apportionment made by the legislature thereof, at their last session, to wit: from the county of Wayne, four representatives; from the county of Franklin, five representatives; from the county of Dearborn, three representatives; from the county of Switzerland, one representative; from the county of Jefferson, three representatives; from the county of Clark, five representatives; from the county of Harrison, five representatives; from the county-of Washington, five representatives; from the county of Knox, five representatives; from the county of Gibson, four representatives; from the county of Posey, one representative; from the county of Warrick, one representative; and from the county of Perry, one representative. And the election for the representatives aforesaid, shall be holden on the second Monday of May, one thousand eight hundred and sixteen, throughout the several counties in the said territory; and shall be conducted in the same manner, and under the same penalties, as prescribed by the laws of the said territory, regulating elections therein for members of the House of representatives.

And be it further enacted, That the members of the convention, thus duly elected be, and they are hereby authorized to meet at the seat of the government of the said territory, on the second Monday of June next, which convention, when met, shall first determine, by a majority of the whole number elected, whether it be, or be not expedient, at that time, to form a constitution and state government, for the people within the said territory, and if it be determined to be expedient, the convention shall be, **and hereby are authorized, to form a constitution and state government**: **or if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution, or frame of government**; which said representatives shall be chosen in such manner, and in such proportion, and shall meet at such time and place, as shall be prescribed by the said ordinance, **and shall then form, for the people of said territory, a constitution and state government: Provided, That the same, whenever formed, shall be republican**, and not repugnant to those articles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, which are declared to be irrevocable between the original states, and the people and states of the territory northwest of the river Ohio; excepting so much of said articles as relate to the boundaries of the states therein to be formed."

All of these lines are important, because the citizens of the county were to elect representatives to form a Constitution and a State government. This became the gold standard in the forming of States; however, as an

aside, these enabling acts became a vehicle for the general government to include things that the general government had no Constitutional authority to do and as the Republic grew older Congress became more and more aggressive in asserting unconstitutional powers.

One important note before moving on is the form of government is indicated above in the bold red font, that the "state be republican."

The Power of the Parties

Starting with an aside, since this this matter is paramount to many lobbyists who are misrepresenting the Constitution, within the current framework of the Constitution for the United States, there is a severe deviation to the relationship when it comes to the modification process of the Constitution as defined in Article III and Article V. In the preceding subsection "The Apostate Version our Republican Form of Government," we point to the First Amendment Petition titled "First Amendment Petition For Redress of Violations of Legislative Authority and the Separation of Powers Within the Constitution for the United States"[46] that legally and academically proves the Constitutional jurisdiction of the federal court and government is hard bound to only those things arising under the Constitution. In the AoC, the Continental Congress had no jurisdiction over the amendment process. This change and the language of the Constitution specifically delegates full authority to the federal government over the process, and there were no assertions in the Ratification Debates delineating the cognizance of an Article V Convention solely under the States in the Convention. What should have been added in Article I, Section 9, was this delineation of control – reserving full control to the Parties (i.e. the states) once the Convention convened. In light of the contractual authority though, it would be better to simple remove the ability of the Convention since the only function that a convention lends to the Parties is the rewriting of the Constitution. Though this topic of the Convention merits a through and deep dive; this is a topic for another article, suffice it to say, the execution of an Article V Convention would not be done as many are advertising and simulating today. In these days when there is nothing under the sun that the federal government will not seize control over, the jurisdiction clause clearly grants this authority to the federal government.

A Few Errors in Instituting States

Keep in mind our forefathers had the opportunity to evolve. They didn't go from the Declaration of Independence to the Constitution in a day, week, month or year. It took over a decade and this evolution was not done in the tranquility of peace – it was done during constant hostility and harassment by the Empire that dominated the world at the time.

One of many errors in the State Constitutional development was the implementation of a majority of popular vote democracy regarding the ratification and amending of the State Constitutions

Wyoming

The process of Wyoming becoming a State and what happened to its Republican Form of government provides insight into one of the specific ways the States and our Constitutional Republic was undermined. As a territory it was aggressively seeking Statehood and the following link lays out how and why Wyoming bypassed Congress in joining the union. After the Civil War every State joining the union was required to include unconstitutional language in their Constitution's and again this too is a separate discussion, suffice it to say Wyoming did some things right that actually substantiates some of the shenanigans committed by those at different levels of government that were unconstitutional.

[46] First Amendment Petition For Redress of Violations of Legislative Authority and the Separation of Powers Within the Constitution for the United States, September 2023, http://www.reclaimingtherepublic.org/PDF_Docs/Petitions/Petition008ForRedressOfViolationsOfLegislativeAuthority.pdf

https://www.wyohistory.org/encyclopedia/wyoming-statehood

In forming the State of Wyoming, some assert that the State was established by the general government; this is incorrect. Others state that the people were responsible in the forming of the Constitution and the State; fundamentally this is correct – but if the State was established by the people this would have required the majority of the people to come together to agree upon the State's Constitution and government. In essence, the State would have been established by a democratic form of government and actually if almost 30,000 (half of the State's population necessary "for the people" to form the Constitution) I am not sure Wyoming would have a Constitution by now.

This is how Wyoming was formed into a State

With that the following is an extract out of the *Memorial of the State Constitutional Convention of the Territory of Wyoming, Praying the Admission of That Territory as a State into the Union*:

> "Whereas the boards of county commissioners of several counties in the Territory have, by resolution, requested the governor to call a constitutional convention, and have re-quested the governor, chief-justice, and secretary of the Territory to divide the Territory into delegate districts, to apportion the number of delegates among the several districts, and to do such other acts as may be necessary for the convening of such constitutional convention in the manner and form provided by the terms of the said Senate bill; and
>
> Whereas the governor, chief-justice, and secretary of the Territory, on this :id day of June, 1889, did convene at the capitol in the city of Cheyenne, and did apportion the number of delegates among the several districts so established, upon the basis of the vote cast for Delegate in Congress at the last general election, as follows, to wit:
>
> (1) The county of Laramie shall constitute the first district and shall elect 11 delegates.
> (2) The county of Albany shall constitute the second district anal shall elect 8 delegates.
> (3) The county of Carbon shall constitute the third district and shall elect 8 delegates.
> (4) The county of Sweetwater shall constitute the fourth district and shall elect 5 delegates.
> (5) The county of Uinta shall constitute the fifth district and shall elect 6 delegates.
> (6) The county of .Fremont shall constitute the sixth district and shall elect 3 delegates.
> (7) The county of Sheridan shall constitute the seventh district and shall elect 3 delegates.
> (8) The county of Johnson shall constitute the eighth district and shall elect 3 delegates.
> (9) The county of Crook shall constitute the ninth district and shall elect 4 delegates.
> (10) The, county of Converse shall constitute the teeth district and shall elect. 4 delegates:"[47]

Consequently, Wyoming was formed and its Constitution was established by 55 delegates of the ten sovereign counties, not the people at large or by the federal government – a State was created and accepted into the union by Congress, meeting the Constitutional responsibility established by Congress ***most of which*** under their delegated role and responsibility in accordance with Article IV Section 3. The emphasis added to the most of which, in the preceding sentence, points to requirements and attributes that Congress and the federal government demanded in the forming of States and their Constitutions. All of which were not within the few delegated RRPPs within the Constitution. These requirements and directions Congress made were at minimum coercive, forcing Wyoming to insert the following line:

[47] Memorial Of The State Constitutional Convention Of The Territory Of Wyoming, Praying The Admission Of That Territory As A State Into The Union, 16December 1889, https://babel.hathitrust.org/cgi/pt?id=mdp.35112105045779&view=1up&seq=12

"The State of Wyoming is an inseparable part of the federal union"[48]

No State is or can be subjugated to the union – ALL States are independent and Sovereign States and are equal parties to the compact (i.e. the Constitution) and as Madison stated in Federalist Paper # 43:

> "A compact between independent sovereigns, founded on ordinary acts of legislative authority, can pretend to no higher validity than a league or treaty between the parties. It is an established doctrine on the subject of treaties, that all the articles are mutually conditions of each other; that a breach of any one article is a breach of the whole treaty; and that a breach, committed by either of the parties, absolves the others, and authorizes them, if they please, to pronounce the compact violated and void."[49]

Thus, nullifying and ending their participation in the compact and leaving the Union. In the preceding subsection *The Apostate Version of our Republican Form of Government* above, we provided another document from James Madison *The Report on the Virginia Resolutions*, that further supports the simplicity of this argument in stating:

> "The Constitution of the United States was formed by the sanction of the states, given by each in its sovereign capacity. It adds to the stability and dignity, as well as to the authority, of the Constitution, that it rests on this legitimate and solid foundation. The states, then, being the parties to the constitutional compact, and in their sovereign capacity, it follows of necessity that there can be no tribunal, above their authority, to decide, in the last resort, whether the compact made by them be violated; and consequently, that, as the parties to it, they must themselves decide, in the last resort, such questions as may be of sufficient magnitude to require their interposition."[50]

As the Republic aged, some doctrines became perverted, one of which was the concept of Nullification. The Southern States and former Vice President John C Calhoun began preaching that nullification pf a federal could be done by a single State and that the nullifying state could stay in the Union. James Madison explained the assertions of Thomas Jefferson in Madison's notes on Nullification and how a single State could nullify a federal law, but they could not remain in the Union in stating:

> "Thus the right of nullification meant by Mr. Jefferson is the natural right, which all admit to be a remedy against insupportable oppression. It cannot be supposed for a moment that Mr. Jefferson would not revolt at the doctrine of South Carolina, that a single state could constituonly resist a law of the Union, whilst remaining within it, and that with the accession of a small minority of the others, overrule the will of a great majority of the whole, & constitutionly annul the law everywhere.
>
> If the right of nullification meant by him had not been thus guarded agst. a perversion of it, let him be his own interpreter in his letter to Mr. Giles in Decr 1826. in which he makes the rightful remidy of a state in an extreme case to be a separation from the Union, not a resistance to its authority while remaining in it. The authority of Mr. Jefferson therefore, belongs not to, but is directly opposed to, the nullifying party who have so unwarrantably availed themselves of it."[51]

The two clear take away from the father of the Constitution is that 1) all States are independent sovereignties who are not bound to remain in the union if the creature created by the compact violates the Constitution and 2) if a single State seeks to nullify a federal law, they can no longer stay in the Union.

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[48] Wyoming State Constitution, Article 1, Section 37, https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf
[49] James Madison, 23 January 1788, Federalist Paper #43, http://constitution.org/1-Constitution/fed/federa43.htm
[50] Report on the Virginia Resolutions, James Madison, January 1800, Para 18, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html
[51] James Madison, Dec 1834, On Nullification, https://rotunda.upress.virginia.edu/founders/default.xqy?keys=FOEA-print-02-02-02-3065

The conclusion regarding the line in the Wyoming State Constitution that it's "an inseparable part of the federal union" does not align with the simple fact that Wyoming like its sibling States, is an "independent and sovereign" State who has voluntarily joined the Union – but is not subjugated to it and can abnegate its participation in the Union if the compact is violated.

There are other clear deficiencies regarding the Wyoming Constitution, which is why Wyoming and each State needs to 1st, definitize the Constitution for the United States, 2nd Audit the Constitution for the United States, and 3rd initiate Republic Review, 4th Audit the State Constitution and 5th Establish County Constitutions and conduct a State Constitutional Convention to revert the State governments into limited general governments; thus, making the Counties and the People the primary repository of political and governmental power in all matters that are domestic in nature. Most all of these steps will be covered in a subsequent article.

Apportionment in the Original Wyoming Constitution:

In the process of forming the State government, following the federal example the delegated in the Wyoming Constitutional Convention established their Republican Form of government as such:

> "Each county shall constitute a senatorial and representative district; the senate and house of representatives shall be composed of members elected by the legal voters of the counties respectively, every two (2) years. They shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. Each county shall have at least one senator and one representative; but at no time shall the number of members of the house of representatives be less than twice nor greater than three times the number of members of the senate. The senate and house of representatives first elected in pursuance of this constitution shall consist of sixteen and thirty-three members respectively."[52]

The following is an excerpt from the 1889 Wyoming Constitution on how the initial apportionment would be applied:

> "**APPORTIONMENT**
>
> SECTION I. One Representative in the Congress of the United States shall be elected from the State at large the Tuesday next after the first Monday in November, 1890, and thereafter at such times and places and in such mariner as may be prescribed by saw. When a new apportionment shall he made by Congress the legislature shall divide the State into Congressional districts accordingly.
>
> SEC. 2. The legislature shall provide by law for an enumeration of the inhabitants of the State in the year 1,7I95, and every tenth year thereafter, and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for senators and representatives on a basis of such enumeration according to ratios to be fixed by law.
>
> SEC. 3 Representative districts may he altered from time to time as public convenience may require. When a representative district shall be composed of two or more counties they shall be contiguous, and the districts as compact as may be. **<u>No county shall be divided in the formation of representative districts.</u>**
>
> SEC. 4. Until an apportionment of senators and representatives as otherwise provided by law they shall be divided among the several counties of the State in the following manner:

[52] Wyoming State Constitution, 1890, https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf

Albany County, two senators and five representatives.
Carbon County, two senators and five representatives.
Converse County, one senator and three representatives.
Crook County, one senator and two representatives.
Fremont County, one Senator and two representatives.
Laramie County three senators and six representatives.
Johnson County, one senator and two representatives.
Sheridan County, one senator and two representatives.
Sweetwater County, two senators and three representatives.
Uinta County, two senators and three representatives."[53]

Though the above apportionment is not identical to the Constitution for the United States, it clearly separates representation of both the people and the county government by county – providing suffrage for both groups of sovereigns. Actually by this time the divine design of representation of sovereigns in our Republican form of government in America was beginning to get lost by the doctrine of communism using democracy as a tool to destroy a Republican Form of Government. The doctrine of communism began seeping into the United State by the end of the Eighteenth Century.

When one examines the facts one cannot deny the suffrage in these two legislative bodies was different due to the fact that the roles and responsibilities where attuned to the two disparate bodies (i.e. We the People, and the County government) they represented; thus, creating a check and balance on laws, ensuring they would be pursuant to the enumerated powers delegated to each body in the Constitution. These checks and balances can be restored and that is why taking back ones county matters the most.

The Perversion of Republic Exposed in the Wyoming Constitution

Above we provided the following excerpt from the current Wyoming Constitution:

> "Legislative apportionment. Each county shall constitute a senatorial and representative district; the senate and house of representatives shall be composed of members elected by the legal voters of the counties respectively, every two (2) years. They shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. Each county shall have at least one senator and one representative; but at no time shall the number of members of the house of representatives be less than twice nor greater than three times the number of members of the senate. The senate and house of representatives first elected in pursuance of this constitution shall consist of sixteen and thirty-three members respectively."[54]

Just below this paragraph in the Wyoming Constitution one will find the following note inserted into the Wyoming Constitution which has stripped the county and the people of the county their suffrage in the State Legislature:

> "This section is inconsistent with the application of the "one person, one vote" principle under circumstances as they presently exist in Wyoming. Consequently, the Wyoming legislature may disregard this provision when reapportioning either the senate or the house of representatives."[55]

What is clear is that this change to the representation of the sovereigns was not done constitutionally. The only way for this change to be Constitutional is for the Wyoming Constitution to be amended per the process or

[53] Memorial Of The State Constitutional Convention Of The Territory Of Wyoming, Praying The Admission Of That Territory As A State Into The Union, 16December 1889, https://babel.hathitrust.org/cgi/pt?id=mdp.35112105045779&view=1up&seq=12
[54] Wyoming State Constitution, 1890, https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf
[55] Wyoming State Constitution, 1890, https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf

mode identified in the Wyoming Constitution. Obviously, this was done on a point of principle as denoted, but what is the "one person, one vote" principle? As one scours the Wyoming Constitution and the Constitution for the United States, one will not find this principle. Consequently, Wyoming happens to be one of the very few States that actually accounts for the fact that their State Constitution was superseded by some principle, but the details as to the source of this intervention are not obvious.

This is why the history and design of our Republican Forms of government were provide upfront in this article, to lay a foundation that will allow us to expose what really happened and why this was not only unconstitutional this was an act of insurrection against both the State Constitutions as well as an act of insurrection against the Constitution for the United States.

An Insurrection That Violated the Constitution and All State Constitutions

Suffice it to say the progressive era has been one of a series of insurrections and many of the attacks against the State Constitutions and the Constitution for the United States has come from the federal courts. In context to the Republican Form of government that was not only established by each State, each State being admitted into the Union clearly met the standard for Congress which is why Congress admitted each State into the Union. Putting aside the fact that Wyoming did an end run around the process of being admitted into the union, one can read here the why and how joined the Union without an Enabling Act from Congress for the territory to proceed in holding a Constitutional Convention to create the State and a State Constitution, the leaders in the territory just did it…[56] What is important, is that Congress accepted and allowed Wyoming to join the Union with their Constitution and Republican Form of Government as defined by the framers.

As alluded to above, in the evolutionary process of the progressive era, in other words as the progressives slowly evolved in instituting godless socialism in America, the federal Legislative, Executive, and Judicial branches all pushed the Constitution and the States away from its actual terms and definitions and began violating the Constitution(s) more and more.

Before diving into how the federal court pulled wool over the heads of the Republic and scorched more of the Constitution, it is paramount to dive into the limitations of the federal government once again, since these matters are easily misunderstood. Article III Section 2 of the Constitution for the United States identifies the jurisdiction of the federal court and the federal government in stating:

> "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;"[57]

This unequivocally defines that only matters "arising under this Constitution" and also includes treaties that where constitutionally made are within the federal jurisdiction. We also provided clarity on the fact that the federal government cannot make a treaty regarding anything that is not enumerated within the Constitution; therefore, many treaties are violations such as the treaty with the UN and with Indian Tribes. That said, for the federal court to open its doors to a case, the matter of the case must be an enumerated object within the Constitution.

Baker V. Carr

In a nutshell, Baker asserted his constitutional rights were being violated by unfair representation. Baker asserted that his vote was being devalued because rural areas had lower citizen-representative ratios. His and

[56] Wyoming Becomes a State: The Constitutional Convention and Statehood Debates of 1889 and 1890 and Their Aftermath, Roberts, Phil. 8 November 2014, https://www.wyohistory.org/encyclopedia/wyoming-statehood
[57] The Constitution for the United States, Article III Section 2, https://avalon.law.yale.edu/18th_century/art3.asp#3sec2

other urban voters' voices were being weakened. It is not unheard of for a person to want more of anything and everything possible; however, when it comes to the design of the State and its Republican Form of government that must be fixed to the Sovereigns. Truth be told, Tennessee had failed to reapportion Representation according to its Constitution. What Tennessee did was constitutionally repugnant, because:

> "the complaint alleges that the 1901 statute, even as of the time of its passage, 'made no apportionment of Representatives and Senators in accordance with the constitutional formula * * *, but instead arbitrarily and capriciously apportioned representatives in the Senate and House without reference * * * to any logical or reasonable formula whatever.' It is further alleged that 'because of the population changes since 1900, and the failure of the Legislature to reapportion itself since 1901,' the 1901 statute became 'unconstitutional and obsolete.'"[58]

What Charles W. Baker et al, should done was to exert their First Amendment right of Petition for the Redress of grievances to address the State's failure to abide by the Constitution. If the State failed to respond then Charles W. Baker et al could pursue recourse for the State violating their Constitutional right. By using the legal system Charles W. Baker not only pumped money into the Tennessee and federal court franchises, they created the opportunity for the court to unconstitutionally seize sovereignty over a matter not delegated. Had he pursued the Petition process demanding the Tennessee Constitution be complied with, it would have kept the court from 1) violating the essence of our Declaration of Independence, where "We the People" institute our government not the courts or government itself and 2) destroy our Constitutional framework by instituting a democratic form of government placing control of the States into the hands of population centers. Furthermore, the oversight of how a State implements its Republican Form of government is not within the federal Constitution other than during the admission of a State.

Instead, Charles W. Baker suspiciously sued the Secretary of State Joe Carr, for violating his right of "equal protection of the laws." Due to the fact that he was attempting to apply this law outside of how it was defined, leads on to believe that progressive lawyers and politicians were involved in directing this case towards legal and political theatrics by using the "equal protection of the laws" clause in Section 1 of the Fourteenth Amendment which 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."[59]

When it comes to a clause in a compact, more specifically the federal Constitution or its amendments, once the clause(s) have been defined to the Parties for acceptance (i.e. ratification) then those definitions become fixed like stone. The only way to alter the terms and definitions of a compact in accordance with contract law as well as in accordance with the Constitution, the mode to modify the Constitution would be to follow the process in Article V, which allocates the authority to grant amendments that would alter the wording or meaning is strictly reserved to the States, neither the federal legislative, the executive, nor the judiciary has any authority to redefine the meaning and application and this equally applies to the "equal protection clause."

Therefore, when the court hears a case that invokes a specific clause of the Constitution, the court is obligated as Madison stated in his letter to John G. Jackson above to apply the terms and definitions of the clause as the the States understood them to mean at the time of ratification. If not, the legal and political process will quickly redefine the clause(s) to meet their view. Consequently, one must examine the Congressional Debates of the Fourteenth Amendment as to how these clauses where defined, because this Amendment originated in

[58] Baker V. Carr, 1962, https://www.law.cornell.edu/wex/baker_v_carr_(1962)

[59] The Constitution for the United States, Fourteenth Amendment, Section 1, https://avalon.law.yale.edu/18th_century/amend1.asp#14

Congress to quantify what the "equal protection" clause meant as it was approved by Congress for the States to consider for Ratification. The first definition for the equal protection clause was provided by Mr. Thaddeus Stevens, a Representative from Pennsylvania, a leader of liberty for the Freemen, and a co-author of Section 1 of the Fourteenth Amendment, who stated the following on 7 May 1866 in the Congressional Globe:

> "I can hardly believe that any person can be found who will not admit that every one of these provisions is just. They are all asserted, in some form or other, in our DECLARATION or organic law. But the Constitution limits only the action of Congress, and is not a limitation on the States. This amendment supplies that defect, and allows Congress to correct the un-just legislation of the States, so far that the law which, operates upon one man shall operate equally upon all. Whatever law punishes a white man for a crime shall punish the black man precisely in the same way and to the same degree. Whatever law protects the white man shall afford " equal" protection to the black man. Whatever means of redress is afforded to one shall be afforded to all. Whatever law allows the white man to testify in court shall allow the man of color to do the same. These are great advantages over their present codes. Now different degrees of punishment are inflicted, not on account of the magnitude of the crime, but according to the color of the skin. Now color disqualifies a man from testifying in courts, or being tried in the same way as white men. I need not enumerate these partial and oppressive laws. Unless the Constitution should restrain them those States will all, I fear, keep up this discrimination, and crush to death the listed freedmen. Some answer, "Your civil rights bill secures the same things." That is partly true, but a law is repealable by a majority. And I need hardly say that the first time that the South with their copperhead allies obtain the command of Congress it will be repealed. The veto of the President and their votes on the bill are conclusive evidence of that. And yet I am amazed and alarmed at the impatience of certain well-meaning Republicans at the exclusion of the rebel States until the Constitution shall be so amended as to restrain their despotic desires. This amendment once adopted cannot be annulled without two thirds of Congress. That they will hardly get. And yet certain of our distinguished friends propose to admit State after State before this becomes a part of the Constitution. What madness! Is their judgment misled by their kindness; or are they unconsciously drifting into the haven of power at the other end of the avenue? I do not suspect it, but others will.
>
> The second section I consider the most important in the article. It fixes the basis of representation in Congress. If any State shall exclude any of her adult male citizens from the elective franchise, or abridge that right, she shall forfeit her right to representation in the same proportion. The effect of this provision will be either to compel the States to grant universal suffrage or so to shear them of their power as to keep them forever in a hopeless minority in the national Government, both legislative and executive. If they do not enfranchise the freedmen, it would give to the rebel States but thirty-seven Representatives."[60]

After reading the actual intent and how the equal protection clause was intended to do, it is clear that it ensures that the civil laws of a State were required to punish or reward white and black equally with no separation. Consequently, when the court began hearing Fourteenth Amendment cases during the "Gilded Age"[61] it was apparent that the courts and governments for the most part, turned their back on Justice for the blacks in America. While the ink was drying on the Fourteenth Amendment, court cases and governments were already doing what they could to redefine the Fourteenth Amendment.

This Republican Form of government was not a civil law. It was a Constitutional foundation for the literal framework of our government, one of which was established by "We the People," not Congress, the President

[60] Congressional Globe, 7 May 1866, Page 2459

[61] The Gilded Age, History Channel – A&E Networks, https://www.history.com/topics/19th-century/gilded-age

nor the Supreme Court. What was established was the representation of two disparate sovereigns. The concept that an apportionment process in the State Constitution being a "law" inflicted upon a person or demographic of people is absurd and to think that the framework of a county and the citizens of the county can be applied differently for one race or demographic over another giving one an advantage over another was a delusional reach by the court. The reason they were successful was due to the fact that the outright ignored oringinal definition of this clause as well as the framers design of our Republican Form of government – and the point in fact is that the Supreme Court was apt to inflict a democratic form of government and violate the law in a sundry of ways.

Out of the entire 104 page case document from the Supreme Court, the use of the phrase "equal protection" was stated 68 times. Not once, did the court provide the original definition established in Congress while the Fourteenth Amendment was being framed and passed to send to the States for Ratification. Most of the uses were pointing to previous cases as to how other courts redefined this clause. Whether one see's this as right, wrong, or is indifferent – – – as stated to ad nauseam, the law (i.e. the Constitution and its legal terms and definitions) is our king, not a person in an oval office, not people in chambers, nor people in black robes. This one fact protects We the People from the biases of individuals, political agendas, or political compromises.

The necessity of re-referencing the *First Amendment Petition for Redress of Violations of Legislative Authority and the Separation of Powers Within the Constitution for the United States*,[62] the Supreme Court does not possess the authority to interpret or redefine clauses or portions of the federal Constitution that was already provided by the framers during the Ratification Debates. Thus, the Warren Court functioned more like a Kangaroo Court by:

1. Accepting jurisdiction and standing of the Baker V. Carr case in the first place
2. Redefined the equal protection clause
3. Had a total disregard for the peoples Republican Form of Government by demanding it be reconfigured based on simple population wiping out the sovereignty of the People's Counties

Now Gerrymandering of Districts is one thing, but the Apportionment and complete failure to follow the State's law as to how to apply apportionment is something that the counties should have secured to ensure standards of representation as the population shifted within a State, like our federal Constitution and the process of redistricting. Remember, everyone wants more if not everything for themselves so the federal model of apportionment should have been the standard not only in Tennessee but in all States.

Taking the Baker V Carr case one step further – the courts argument can easily be perverted to say that the 1,084,225 million people in Montana (based upon the 2020 census) have more voting power or better Representation with their two Representatives in Congress (542,113 people to one Representative), then the 21,538,187 million people in Florida who have 28 Representatives in Congress (almost 770,000 people to one Representative). With the Warren Court logic, the Supreme Court and tyrannical power, they could wipe out the States altogether and convert America into a Democracy. The reason they would not do this is that this would have woken the States to the imbecility of the court and stepped in.

What the members of the courts and citizens in America today fail to understand is that the bicameral configuration of each State is necessary in protecting the suffrage and the sovereignty of the county government – you know - that government that was instituted by the people – so their government would have suffrage in the State Senate, while the people enjoyed their suffrage in the State House of Representatives.

[62] First Amendment Petition For Redress of Violations of Legislative Authority and the Separation of Powers Within the Constitution for the United States, September 2023, http://www.reclaimingtherepublic.org/PDF_Docs/Petitions/Petition008ForRedressOfViolationsOfLegislativeAuthority.pdf

Going back to jurisdiction based on the definitions of the voting Amendments, had Charles W. Baker's right to vote been denied, this would have been an application of "equal protection of the laws," if the denial was based on race, gender, ability to pay taxes, or age. To be clear, there is no way anyone can slice this under the provided terms and definitions that this was a violation of the "equal protection of the laws" clause as defined in Congress during the debates of the Fourteenth Amendment. This is what the court has been doing for a century. An example of this is the fact that the court allowed Jim Crow laws that literally violated the rights of blacks as this clause was originally defined, by redefining this clause and creating the unconstitutional doctrine separate but equal which created an unadulterated conflict with the original definition of "equal protection of the laws."

Regardless of the direction of the infraction – an infraction cannot be tolerated. The Warren Court reached across the Constitutional threshold where the federal courts are not permitted to and used this case to destroy the checks and balances in the State Legislature and shifted government and political focus towards the progressive population centers. Thurgood Marshall, a member of the Warren Court, publically articulated his position on the Constitution being King as the Supreme Law of the Land in stating "The process of democracy is one of change. Our laws are not frozen into immutable form, they are constantly in the process of revision in response to the needs of a changing society." [63] Justice Marshall was not an outlier, many others were very clear about using judicial activism to change laws. This speaks to just how emboldened the court had become trampling on the Constitution. Chief Justice Earl Warren captured metaphorically an accurate image of the courts and our legal systems paradigm, stating "In civilized life, law floats in a sea of ethics."[64]

Clearly, our entire legal system along with the British Accreditated Registery commonly known as the BAR Association over the past 150 years has successful created a swamp where they soak the law to soften and bend into the direction that serves their purpose. Even though the BAR includes lip service to the Constitution and even though the Constitution demands their full support, the BAR attorneys and jurists are committed to the institution and take pride in twisting and bending the law; thus, perverting the rule of law and our Republican Form of government. The bedrock of a Republican Form of government is the rule of law, that our laws are fixed within a compact that includes terms and definitions to ensure our laws cannot be perverted.

The brilliance in the Constitution is not simple the design of the Constitution itself, but the fact that it was debated and clearly defined, locking the provided terms and definitions as legal appendages to the compact itself. To this author, this definitively reveals the DNA of the Divine Hand of Providence creating a law that is immovable, as HE has done with HIS covenants with mankind. A compact is just another way of saying contract, constitution, or covenant. As simplistic as it may seem, the fact that the framers in the Constitutional Convention took the Thirteen Article of the CoA and consolidated them into six Articles and then with the Seventh Article HE rested the power in the hands of the Parties and We the People. In essence, sanctifying the law and placing it into the hands of "We the Governed," which includes the States and the Counties along with We the People; empowering them to enforce HIS Constitution for all mankind.

To be clear, the federal court had been redefining the terms of the Constitution since Marbury V Madison, and the specifically definitions of the "equal protection of the laws" clause; thus, doing injustice to the people and the State of Tennessee.

We already know that State apportionment does not arise under the federal Constitution. We also know that the only cognizance regarding voting within the federal Constitution is in regard to race (15th A), sex

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[63] Thurgood Marshall. (n.d.). AZQuotes.com. Retrieved October 02, 2023, from AZQuotes.com Web site: https://www.azquotes.com/quote/1396217

[64] Earl Warren, 1962, The Ethics Advisor: Good Governance Floats on a Sea of Integrity, https://www.jdsupra.com/legalnews/the-ethics-advisor-good-governance-12893/

(male/female) (19th A), denial due to poll taxes (24th A), and age (26th A). Was Charles W. Baker's case in lieu of his rights being denied, if not then any other matter regarding voting is within the federal jurisdiction – unless the matter was voting of election fraud that would affect the seating of a Congress person in accordance with Article I Section 5 "Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business."[65]

Here is a complete list of where the word vote appears in the Constitution:

1. Article I Section 3 (twice) that each Senator gets only one vote – the VP shall have no vote unless there is a tie in the Senate voting
2. Article I Section 7 (twice) how the votes will be cast in the house by yeas and nays – that the votes of both houses shall be presented to the President
3. Article II Section 1 (eleven times) ten of which refers to the voting process for the Electors in the Electoral College and that Congress can establish the day the Electors provide their votes in choosing the President
4. Article VII (three times) in how the Electoral College will function in choosing the first President once the nine States have ratified the Constitution.
5. Note – this ends the body of the Constitution so all other usages of voting will be in amendments to the Constitution
6. Twelfth Amendment (twelve times) all applying to Electors or Congress in choosing the President and VP
7. Fourteenth Amendment Section 2 (once) this is a change of apportionment – that when a State denies a citizen the right to vote for any reason other than for rebellion or other crime then that citizen must be deducted from the apportionment for representation in the federal government
8. Fourteenth Amendment Section 3 (once) the usage of vote is is in reference to the two-thirds requirement to remove the banishment of a former State or federal public servant who was banned for violating their oath of office
9. Fifteenth Amendment (once) granting all U.S. Citizens the right to vote regardless of color, race, ethnicity
10. Seventeenth Amendment (once) changes the selection of a Senator in Congress and confirms each senator has only one vote in the Senate
11. Nineteenth Amendment (once) women's suffrage guaranteeing that the right to vote cannot be denied due to gender (male/female) extended to only U.S. Citizens
12. Twenty-fourth Amendment (once) does not allow States to deny a U.S. Citizen the right to vote by requiring a poll tax
13. Twenty-fifth Amendment (twice) establishes that both the House and the Senate can seat a Vice President in the case of a vacancy and a two-thirds vote of both house to remove the President when he is unable to discharge his duties
14. Twenty-sixth Amendment (once) extend the right to vote to any U.S. Citizen person eighteen of age

Clearly the Constitution demands that only a U.S. Citizen has the right to vote regardless of race or gender and the States cannot use a poll tax and yet the general government (all three branches) have done everything possible to make it impossible for States to ensure only citizens are voting by requiring Identification at the polls.

What should have happened:

1. The federal court should have rejected this case due to jurisdiction and standing and advised the plaintiff that they needed to exercise their right of petition

[65] The Constitution for the United States, Article 1, Section 5, https://avalon.law.yale.edu/18th_century/art1.asp#1sec5

a. This would have shifted the matter to a Constitutional enforcement instead of a financial endeavor with the legal system.
b. This also would have held the State Legislature accountable to their oaths and had they not redressed the grievances they would have removed for violating their oath of office.

2. The court should have also advised the State to use the federal model of the Republican Form of government; thus, preserving the laws and liberties of the people and their county governments.

Consequently, the carte blanche wiping out of county suffrage was not only unconstitutional it was unconscionable.

One Person One Vote

Baker V. Carr, set the stage, or as legal beagles like to refer to as precedence, for extending a totalitarian despotism upon the State with the subsequent case Reynolds v. Sims (1964). The case is summarized as follows with comments in *red italics*:

"1. The right of suffrage is denied by debasement or dilution of a citizen's vote in a state or federal election. *This does not arise under the federal Constitution, nor is this congruent with the framework of our Republican Form of government.*

2. Under the Equal Protection Clause, a claim of debasement of the right to vote through malapportionment presents a justiciable controversy, and the Equal Protection Clause provides manageable standards for lower courts to determine the constitutionality of a state legislative apportionment scheme. Baker v. Carr, followed. *The underlined assertions do not conform to the original definition stipulated by Congress in authoring the Fourteenth Amendment. This is blatant evolutionary redefining via interpretation by the court – a power not granted to the court within the federal Constitution.*

3. The Equal Protection Clause requires substantially equal legislative representation for all citizens in a State regardless of where they reside.

(a) Legislators represent people, not areas.

(b) Weighting votes differently according to where citizens happen to reside is discriminatory.

Bullet 3 and its sub bullets, in its entirety does not conform to the original definition stipulated by Congress in authoring the Fourteenth Amendment. This is blatant evolutionary redefining via interpretation by the court – a power not granted to the court within the federal Constitution.

4. The seats in both houses of a bicameral legislature must, under the Equal Protection Clause, be apportioned substantially on a population basis.

The original definition stipulated by Congress in authoring the Fourteenth Amendment, this also violates how Article IV section 3 of the federal Constitution was stipulated as well as originally executed by Congress in admitting States into the Union – wiping the minimal Congressional standards of States joining the Union.

5. The District Court correctly held that the existing Alabama apportionment scheme and both of the proposed plans are constitutionally invalid, since neither legislative house is or would thereunder be apportioned on a population basis. *Refer to the Congressionally accepted Alabama Constitution of 1819*

and how counties were recognized as the basis of apportionment.[66] Thus violating how Article IV section 3 of the federal Constitution was stipulated as well as originally executed by Congress in admitting Alabama into the Union – wiping the minimal Congressional standards of States joining the Union.

6. The superficial resemblance between one of the Alabama apportionment plans and the legislative representation scheme of the Federal Congress affords no proper basis for sustaining that plan, since the historical circumstances which gave rise to the congressional system of representation, arising out of compromise among sovereign States, are unique and without relevance to the allocation of seats in state legislatures. *The arrogance of the court becomes clear, that due to the illiteracy of the Constitution, they are going to redo the government that the framers and We the People instituted into democracies.*

7. The federal constitutional requirement that both houses of a state legislature must be apportioned on a population basis means that, as nearly as practicable, districts be of equal population, though mechanical exactness is not required. Somewhat more flexibility may be constitutionally permissible for state legislative apportionment than for congressional districting.

(a) A state legislative apportionment scheme may properly give representation to various political subdivisions and provide for compact districts of contiguous territory if substantial equality among districts is maintained.

(b) Some deviations from a strict equal population principle are constitutionally permissible in the two houses of a bicameral state legislature, where incident to the effectuation of a rational state policy, so long as the basic standard of equality of population among districts is not significantly departed from.

(c) Considerations of history, economic or other group interests, or area alone do not justify deviations from the equal population principle.

(d) Insuring some voice to political subdivisions in at least one legislative body may, within reason, warrant some deviations from population-based representation in state legislatures.

Regarding bullet 7-7d There is NO federal constitutional requirement that both houses of a state legislature must be apportioned on a population basis – this is a fabrication and literally a violation of the Constitution.

8. In admitting States into the Union, Congress does not purport to pass on all constitutional questions concerning the character of state governmental organization, such as whether a state legislature's apportionment departs from the equal population principle; in any case, congressional approval could not validate an unconstitutional state legislative apportionment.

Only Congress has the "responsibility" to admit States into the Union, not the court, each State being independent and sovereign with the ultimate decision of self-determination – becoming an equal footed Party to the Constitution, not the court, and now we are to believe the court 150 years later now has the authority to form or reform States and their form of government?

9. States, consistently with the Equal Protection Clause, can properly provide for periodic revision of reapportionment schemes, though revision less frequent than decennial would be constitutionally suspect.

More arrogance and despotism…

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[66] Alabama : Constitution of 1819, The Avalon Project, https://avalon.law.yale.edu/19th_century/ala1819.asp

10. Courts should attempt to accommodate the relief ordered to the apportionment provisions of state constitutions as far as possible, provided that such provisions harmonize with the Equal Protection Clause.

Here the court is aggrandizing the lower courts roles to become partakers in the insurrection against the Constitution fully believing their powers are omnipotent – without regard to the State Constitution and "We the People."

11. A court, in awarding or withholding immediate relief, should consider the proximity of a forthcoming election and the mechanics and complexities of election laws, and should rely on general equitable principles.

Everyone wants more if not everything for themselves… why shouldn't we expect the courts to seize all powers regarding the reformation of a government.

12. The District Court properly exercised its judicial power in this case by ordering reapportionment of both houses of the Alabama Legislature for purposes of 1962 elections as a temporary measure by using the best parts of the two proposed plans, each of which it had found, as a whole, invalid, and in retaining jurisdiction while deferring a hearing on the issuance of a final injunction.

One would be astonished if this court would not praise a lower court for following their agenda."[67]

Before concluding on the destructive role these cases have played in perverting the government that only "We the People" can institute, take a minute to review the following entry in the Wyoming Constitution and note how there is no real information regarding the authority of this change, the date when it was changed, just an ambiguous reference to some principle.

"This section is inconsistent with the application of the "one person, one vote" principle under circumstances as they presently exist in Wyoming. Consequently, the Wyoming legislature may disregard this provision when reapportioning either the senate or the house of representatives."[68]

Conclusion

It is almost common knowledge that most counties in every State are "red" or what some refer to as conservative. Consequently, if every State was following the federal model of a Republican Form of government – having the counties have equal suffrage in the Senate, the Senate in every State House would likely be red. In like manner, if every State was following the federal model of a Republican Form of government – having each county guaranteed a minimum of one Representative, the House in the State house would be more red – if not red as well as the Senate.

If the "one person one vote" is constitutional then the framers would have instituted this model instead of the Republican Form of government the courts have been subverting over the past century.

Counties as the Parties to the State compact, like States to the federal compact, can not only reclaim their authority they can strengthen and reinforce it. How to do this will be in a following article.

It is imperative to cite Madison one more time, regarding the authority of the Parties over their compact and the fact that we cannot allow ourselves and the governments we institute – to surrender our sovereignty to a court

[67] Reynolds v. Sims, 377 U.S. 533 (1964), June 15, 1964, https://supreme.justia.com/cases/federal/us/377/533/
[68] Wyoming State Constitution, 1890, https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf

that does not have jurisdiction over the matter. It is a very rare occasion indeed when a court and or an officer of the court will not seek to convince one to take all matters to the court regardless of jurisdiction. This is why Madison stated:

> "***that dangerous powers, not delegated, may not only be usurped and executed by the other departments, but that the judicial department, also, may exercise or sanction dangerous powers beyond the grant of the Constitution; and, consequently,*** **that the ultimate right of the parties to the Constitution, to judge whether the compact has been dangerously violated, must extend to violations by one delegated authority as well as by another*****--by the judiciary as well as by the executive, or the legislature.***
>
> However true, therefore, it may be, that the judicial department is, in all questions submitted to it by the forms of the Constitution, to decide in the last resort, ***this resort must necessarily be deemed the last in relation to the authorities of the other departments of the government; not in relation to the rights of the parties to the constitutional compact, from which the judicial, as well as the other departments, hold their delegated trusts***. **On any other hypothesis, the delegation of judicial power would annul the authority delegating it**; and the concurrence of this department with the others in usurped powers, might subvert forever, and beyond the possible reach of any rightful remedy, the very Constitution which all were instituted to preserve.
>
> The truth declared in the resolution being established, the expediency of making the declaration at the present day may safely be left to the temperate consideration and candid judgment of the American public. It will be remembered, that a frequent recurrence to fundamental principles is solemnly enjoined by most of the state constitutions, and particularly by our own, as a necessary safeguard against the danger of degeneracy, to which republics are liable, as well as other governments, though in a less degree than others. And a fair comparison of the political doctrines not unfrequent at the present day, with those which characterized the epoch of our revolution, and which form the basis of our republican constitutions, will best determine whether the declaratory recurrence here made to those principles ought to be viewed as unseasonable and improper, or as a vigilant discharge of an important duty. **The authority of constitutions over governments, and of the sovereignty of the people over constitutions, are truths which are at all times necessary to be kept in mind; and at no time, perhaps, more necessary than at present.**"[69]

How can one not see how the federal courts have been annulling the authority of the States and more importantly the Counties? This final line absolutely contradicts the revisionist assertions by activist jurists , that THE AUTHORITY OF CONSTITUTIONS OVER GOVERNMENTS, AND OF THE SOVEREIGNTY OF THE PEOPLE OVER CONSTITUTIONS, ARE TRUTHS WHICH ARE AT ALL TIMES NECESSARY TO BE KEPT IN MIND. This means the authority of the Constitutions over the courts (i.e. governments) and the sovereignty of the people over Constitutions and the governments we institute.

[69] Report on the Virginia Resolutions, James Madison, January 1800, Para 24, 25, & 26, https://press-pubs.uchicago.edu/founders/documents/v1ch8s42.html