



BasicsProject.org

# Keeping a Republic

An Argument for  
Sovereignty

by Nancy Salvato

Copyright © Nancy Salvato 2009

Content in this publication is the property of BasicsProject.org ([www.BasicsProject.org](http://www.BasicsProject.org)) and may be protected by copyright and other restrictions. Copyrights and other proprietary rights in the content of this publication may also be owned by individuals and entities other than, and in addition to: BasicsProject.org. BasicsProject.org expressly prohibits the copying of any protected material in this publication, except for the purposes of fair use as defined in established copyright law.

## **Table of Contents**

Executive Summary ...	5
Chapter 1: A Good Constitution ...	7
Chapter 2: A More Perfect Union ...	21
Chapter 3: A Balance of Rights ...	25
Chapter 4: Our Unalienable Universal Natural Rights ...	28
Chapter 5: A “W” Takes the Series ...	37
Chapter 6: What Is Globalization, Really? ...	39
Chapter 7: Defining Our Role in a Global Society ...	41
Chapter 8: Precedence Takes Precedence ...	51
Chapter 9: Risking Our Nation’s Sovereignty ...	53
Chapter 10: Undermining Our Sovereignty ...	58
Chapter 11: The Right to Defend Sovereignty ...	62
Bibliography ...	73
Index ...	77
Glossary ...	79
About the Author ...	82
BasicsProject.org ...	83



## **Executive Summary**

Our nation's sovereignty, power within its borders, is derived from "We the People," who ordain and establish the Constitution of the United States to preserve and protect our inalienable rights to life, liberty, and the pursuit of happiness. The Constitution was designed to allow our country to grow strong and able to defend itself against foreign aggression. As a result, it was anticipated that our country's happiness would be widespread, and our union, as a people, would be preserved. Our wise and beneficent government would gather the respect and admiration of mankind.

Today, there are encroaching threats to our sovereignty that undermine our rule of law. Unless these threats are recognized for what they are and addressed, our nation's sovereign status in this world will be supplanted, as will the ability of our government to protect our natural rights. In order to protect ourselves from our enemies, we first need to be able to recognize our enemies. We need a moral clarity so we can recognize evil. There must be a distinction made between the American tradition of equality (which is that by virtue of being human there is equality of liberty) and Socialism (which aims merely for an equality of outcomes). The balance between individual rights and living in a society for mutual benefit must be maintained.

Basics Project believes that the main threats to our nation's sovereignty come in three forms:

- Constitutional Illiteracy
  
- The American Fifth Column: which is fighting an ideological war in the quest of succeeding in a Marxist revolution within the United States and which takes the form of political correctness and restrictions to the free market through boycotts and union activities; and finally,

- Acts of Terrorism: This threat is posed by radical Islamists who have issued a declaration of war against our country and its citizens with the end goal of achieving a global caliphate.

Since the United States is being attacked on all three fronts at this juncture of history, we describe this as “the perfect storm;” and because our freedoms are tied directly to our nation’s sovereign status in this world, our nation’s sovereignty must be preserved.

Nancy Salvato, President of BasicsProject.org and Director of Constitutional Studies examines the notion of sovereignty as it relates to these three threats in her book, *Keeping a Republic: an Argument for Sovereignty*. Chapters 1-4 explain the philosophical ideas which influenced the Framers and the context within which the United States Constitution was written. Chapter 5 provides us the specific rationale for creating the Electoral College and its importance to maintaining federalism. Chapters 6 -8 explain how the Fifth Column advances an ideological agenda within our country which is contrary to the fundamental law of the U.S. Constitution. Finally, Chapters 9-11 explain how a sovereign nation must operate on the world stage and provides the rationale for why we must conduct ourselves in this manner.

If we lose on any of these three fronts: Constitutional Literacy; The American Fifth Column; or the War on Terror, it will ultimately result in the loss of the sovereignty of our nation. James Madison believed “projects for universal peace” to be folly, that independent republics cannot trust to others to determine their rights, without forfeiting their independence. Basics Project believes Madison was correct in his assessment and seeks to educate the public in the threats to our sovereignty so that we may defend the freedoms for which we fought at our nation’s founding.

# Chapter 1

## A Good Constitution

*“We need to ask not what government can do for us but what we can do for ourselves and, where necessary, for others—not through government but apart from government, as private citizens and organizations. That is what the Constitution was written to enable. It empowers government in a very limited way. It empowers people—by leaving them free—in every other way.”<sup>1</sup>*

Beginning in May, 1787, delegates from all the states except Rhode Island met in convention to revise and propose amendments to the federal Constitution. They were to report back to congress and the several legislatures regarding their suggested revisions and added security measures. Once agreed to in congress and confirmed by the states, it was anticipated that the revised Articles of Confederation would then be adequate to the needs of government and the preservation of the Union.

As most people will recall, the delegates ended up writing an entirely new Constitution for our country. At the end of an entire summer devoted to this monumental undertaking, they addressed a letter to congress explaining the reasons for their acts. In order to provide for the interest and safety of the states, the federal government could not secure all the rights of independent rule to each. Individuals entering into society must give up a share of liberty to preserve the rest.

Given the tremendous difficulty in drawing the line between rights which must be surrendered and those to

---

<sup>1</sup> Cato Handbook on Policy  
<http://www.cato.org/pubs/handbook/hb109/index.html>

be reserved, the framers made uniting the states the priority in all deliberations on this subject because this was tied to our prosperity, happiness, safety, and perhaps our national existence. This importance of joining the states into a more perfect union led each state delegate at the convention to be less rigid on the size and wealth of individual states than might have been otherwise expected. And the Constitution they presented resulted from of a spirit of harmony. This mutual respect and willingness to accept other views were an absolute necessity given the unique nature of what was at stake.

On September 17, 1787, the convention adopted the plan for the present Constitution. Then they recommended to Congress it be submitted to a convention of delegates chosen in each state by the people thereof, for their assent and ratification. Nine states would need to ratify the document for it to be adopted as our nation's fundamental law.

Ratification brought more rejoicing in the cause of national liberty, than winning our freedom from England. The prevailing sentiment was that the new system of government would allow us to grow strong and able to defend ourselves against foreign aggression. Our country's happiness would be widespread, and our union, as a people, would be preserved. Our wise and beneficent government would gather the respect and admiration of mankind.<sup>2</sup>

This law of our land, the law we named the Constitution, originates from "We the people," not a king or those who hold power.

---

<sup>2</sup> Joseph Story, Commentaries on the Constitution, Book III  
<http://www.Constitution>

“We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.”

Joseph Story, an Eminent judge during the early decades of the Republic and served on the Supreme Court of the United States from 1811 to 1845, believed the word choices of “ordain” and “establish” were deliberate because these words conferred legal obligation and permanence regarding our rule of law. This law was established by decree, commanded by the people who consent to their rule.

The Constitution our Framers created reflects the influence religion has on our political structure and societal ideology. They understood the successful components of the politics of religion in a society. (Whitehead, 2005) The many similarities between the birth of our nation and what is written in Deuteronomy are not coincidental. The Framers understood that a covenant binds each generation to the law and expected that each generation would learn, understand, and uphold the law.

In order to remember and live the law, it has to be in front of people, it has to be understood.

*Behold, I have taught you the statutes and judgments, even as the Lord my God commanded me, that ye should do so in the land whither ye go to possess it. 6. Keep therefore and do them; for this is your wisdom and your understanding in the sight of the nations, which shall hear all these statutes, and say, Surely this great nation is a*

*wise and understanding people.*

– Deuteronomy [Chapter 4] 5.

We have inherited the idea that law gives life to our people. We are honored because of our law. The people and the law are one.

The signers of the Constitution, the people of the states that voted to ratify the Constitution, those that take their oath under the Constitution, citizens living under the law of the Constitution, all affirm their assent to the Constitution. The signatures at the bottom of the document indicate this is what was done here, not that it's done. The preamble is in the present tense. We the people do ordain and establish...Only "We the People" are authorized to alter or abolish the Constitution.

In the United States, the definition of a citizen is one who rules and is ruled in turn. We must have the capacity for both under the law. All citizens must be able to take the following oath of office

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.

A good Constitution forms the life of a community. It constrains the way we think, it naturalizes itself, we come to think that way. Our disagreements all fall under the rubric of our Constitution. We aren't really that different because we are all Americans.

A Constitution is not only our government, it is also a state of being; the connection of parts which makes or characterizes a system or body. All of us, in common with each other, make up this body. People who can embrace the whole, and understand the relationship of parts to each other and to the whole, possess a Constitutional mentality. In order to think in this way, our people must possess a surplus of knowledge.

Teachers must be extremely knowledgeable about our founding and pass this surplus of knowledge to our citizens so that we can all think Constitutionally. Seeing through a Constitutional lens, people with the capacity to use their higher level thinking skills can *diagnose*, recognize how our society as a whole is operating under our rule of law bearing in mind the subtle effect of the Constitution on everyone's rights and values. They can *analyze* the effect each act will have on the whole and then reason, defend, or attack based on what is essential to our foundation. They can *evaluate* every set of circumstances and argue that good is ultimately determined by what maximizes some single, explicit interpretation of happiness for society as a whole, not what special interests believe it to be.

Using evaluative thinking, the framers made uniting the states their priority in all their deliberations because it was tied to our prosperity, happiness, safety, and perhaps our national existence. Just as they drew the line between which rights must be surrendered and which would be reserved, we, too, need to cultivate the capacity to hold contradictory ideas simultaneously and not become terrorized by divisions of thought. The ability to think critically and pull from a surplus of knowledge is the key to maintaining the proper balance of ideas, the mixture which allows our unique union.

From the perspective of Constitutional Literacy, the biggest threat to our nation is a growing inability of our people to think Constitutionally. We cannot lose this ability because our lives, future, and prosperity are engaged in the Constitution. It is who we are. It organizes us and gives us our extraordinary powers.

It should be noted that the Framers were incredibly intelligent. Able to see the big picture, they could imagine what our country would look like in the future. And thinking Constitutionally, what they were able to accomplish was absolutely extraordinary. First, by creating a system of federalism, they answered the question of how to make thirteen different bodies, each capable of conducting affairs on their own, and all animated by a spirit of liberty and independence, behave like a union.

Nowhere is this better illustrated than the Electoral College. We don't have a national people; we have national citizenship and multiple peoples. For this reason, we elect the president through an Electoral College, not the popular vote. In the World Series, you don't count up all the runs; you count up the individual wins. Multiple wins in multiple venues produces a strong candidate. Weak states have a place under the electoral system that wouldn't exist otherwise. In a winner takes all, a candidate wins all the votes from one state, which accentuates a state's importance. If votes were proportional, it would make it a national plebiscite, a direct vote by the people, not through the states.

The Electoral College forces political parties to be receptive to a wide range of minority interests, which might otherwise be excluded from electoral competition. Minority factions must, in turn, moderate their demands. The political success of minorities relies on compromise.

Electing the president directly would discourage compromise, diminish the power of minorities and encourage extremism.

Clearly, our country is too big and differentiated to be united by our commonalities so our Constitution unites us through mutual tolerance of our differences. Acutely aware that everyone cannot possibly have the same passions and interests, the Framers emphasized religious tolerance rather than appear to endorse any particular belief system. Despite this, with regard to the 1st Amendment right that, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," there has been little agreement as to what it means to tolerate religious expression in the public square. When do personal beliefs impose on others? When are tax dollars promoting religion? Where is the line drawn between promoting, tolerating, or prohibiting beliefs?

Toleration means that a groups' belief cannot impinge on the rest of us because that would be considered intolerance of those outside the group. Yet, at the same time, our society is organized to protect our religious liberty. Can a citizen swear an oath to our society if that person participates in a belief system or all comprehending faith which takes precedence over our Constitution? Is the highest priority to be our national unity or individual liberties? You can't have one without the other. Federalists would argue there can be no religious exception to law. How does this apply to a religious practice that doesn't believe in allowing medical treatment, even if its denial could result in the loss of life?<sup>3</sup>

---

<sup>3</sup> The National Academy  
[http://www.montpelier.org/learn/wethepeople/national\\_academy.php](http://www.montpelier.org/learn/wethepeople/national_academy.php)

While it is everyone's job to uphold the Constitution, it is how we understand the words, its meaning, and apply precedent (previously made decisions) to our own interpretations that continually tests our ability to compromise and grow as a union. As long as we understand and argue Constitutionally, we can have healthy debate and meet the new challenges and dangers with which are country is faced.

It is always easier to understand something better when a connection is made to what we already know. In Bradenton, Florida, a 13-year-old boy used his ingenuity to free himself after he was kidnapped. Having the foresight to place a safety pin in his mouth before being left bound and gagged, he was able to spit it out of his mouth and use it to cut the duct tape off his hands to free himself from captivity. In Iowa, after a tornado hit a Boy Scout Camp, survivors who had just completed their first aid training immediately went to work locating the injured and stabilizing them until help could arrive. In both instances, these kids had the wherewithal and surplus of knowledge to attack a situation head on instead of passively awaiting their fate.

Our country will continue to encounter situations with the potential for great harm to our way of life. We, too, must have the surplus of knowledge from which to draw and devise solutions to the adversity which we are likely to encounter since humans are fallible. With Constitutional Literacy, we are armed and ready to defend our rights to life, liberty, and the pursuit of happiness which the Constitution was devised to protect.

Without Constitutional Literacy, our rights and the strength of our union will erode. The process has already begun. Beginning with the Executive Branch, let's

examine some of the ways each of the branches of the federal government have abused their position.

### *Executive Branch*

To begin, for the President to issue an executive order, the authority to do so should be based on the power granted to the office under the Constitution, in a statute (law), or both. Furthermore, working knowledge of the relevant statutory law and the powers of both the President and Congress must be taken into account.

“Within his first two months in office, on April 15, 1861, Lincoln issued a proclamation activating troops to defeat the Southern rebellion and for Congress to convene on July 4. He also issued proclamations to procure warships and to expand the size of the military; in both cases, the proclamations provided for payment to be advanced from the Treasury without congressional approval. These latter actions were probably unConstitutional, but Congress acquiesced in the face of wartime contingencies, and the matters were never challenged in court.”<sup>4</sup>

It is important to note the last sentence in the above paragraph, which states the latter actions, not the former actions, were probably unConstitutional. This is because, “the President may use his Commander-in-Chief and executive powers to use military force to protect the Nation, subject to congressional appropriations and control over domestic legislation.”<sup>5</sup>

Given the ongoing debate on the question of authority over contemporary armed conflict, it is worth providing

---

<sup>4</sup> The Use and Abuse of Executive Orders and Other Presidential Directives <http://www.heritage.org/Research/LegalIssues/LM2.cfm>

<sup>5-8</sup> Memorandum Opinion for the Deputy Counsel to the President <http://www.usdoj.gov/olc/warpowers925.htm>

some more examination on this matter. While Congress has the power to declare war, this is not the same as to make war.

- *The Framers understood making and engaging in war to be broader than simply "declaring" war. See U.S. Const. art. I, § 10, cl. 3 ("No State shall, without the Consent of Congress...engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.").*<sup>6</sup>
- *A State Constitution at the time of the ratification included provisions that prohibited the governor from "making" war without legislative approval, S.C. Const. art. XXVI (1776). If the Framers had wanted to require congressional consent before the initiation of military hostilities, they knew how to write such provisions.*<sup>7</sup>

The Framers understood the phrase "to declare war" means a transformation of the "international legal relationship between two states from one of peace to one of war."<sup>8</sup>

In 1941, the Attorney General (later Justice) Robert Jackson said this:

*Article II, section 2, of the Constitution provides that the President "shall be Commander in Chief of the Army and Navy of the United States." By virtue of this Constitutional office he has supreme command over the land and naval forces of the country and may order them to perform such military duties as, in his opinion, are necessary or*

*appropriate for the defense of the United States. These powers exist in time of peace as well as in time of war.*<sup>9</sup>

### *Legislative Branch*

To participate in our particular form of civil society, citizens compact with each other not to infringe on each others' rights --with the understanding that this entails giving up some of our personal liberties, such as disturbing the peace by blaring our stereos at 2:00 in the morning. As part of a community, we are expected to respect and adhere to the rule of law created to protect each of our rights to life, liberty, and property. It is up to the individual, not the government, to take the initiative and responsibility necessary to carve out a niche in this world. Furthermore, it is a matter of personal choice whether to act charitably toward those in need through private organizations and institutions of worship.

Congress was not given the authority to create laws or tax our citizens in ways that would in the long term result in the socialization of medicine, education, retirement, and the economy. In a letter to Edmund Pendleton, Madison writes, "If Congress can do whatever in their discretion can be done by money, and will promote the General Welfare, the Government is no longer a limited one, possessing enumerated powers, but an indefinite one, subject to particular exceptions."<sup>10</sup>

Government established welfare and other entitlement programs which involve taking from some to give to others are unconstitutional. These are matters of private

---

<sup>9</sup> Memorandum Opinion for the Deputy Counsel to the President  
<http://www.usdoj.gov/olc/warpowers925.htm>

<sup>10</sup> Quotes on the Constitution  
[http://www.jmu.edu/madison/center/main\\_pages/madison\\_archives/quotes/great/constitution.htm](http://www.jmu.edu/madison/center/main_pages/madison_archives/quotes/great/constitution.htm)

responsibility and it was always intended for the people themselves to address these issues freely.

Expansion of congressional power has been greatly influenced by citing the General Welfare and Commerce Clauses without taking into account the Framers' intent. As Aristotle would say, both the General Welfare and Commerce Clauses of the Constitution have been perverted to mean the opposite of what was intended. The overarching goal of the Framers was to limit federal power and limit the rights given up by the states in order to provide the federal government adequate power to protect our liberties.

The General Welfare Clause was intended to limit the power to tax and spend by Congress and to assure that this authority was used on behalf of the common good. Today, the General Welfare Clause is used to justify spending on behalf of special interests, and is disproportionately influenced by those with wealth and power. Indeed, state-by-state allocation formulas have allowed the federal government to redistribute nearly 1/3 of our salaries and to decide how and how much of this will money be spent in each of the fifty states. Furthermore, the current tax laws used to pay for these programs are unfair because they dictate that groups receive differential treatment under the tax code.

The Commerce Clause was intended to facilitate free trade between the states and eliminate the various tariffs and protectionist clauses enacted under the Articles of Confederation. "The Commerce Clause does not seem to have granted Congress the power directly to regulate manufacturing, labor, agriculture, or industry, although the Court long ago expanded the Clause to cover such

subjects.”<sup>11</sup> Now the Commerce Clause is used to allow the federal government to regulate social and economic policies throughout the states.<sup>12</sup>

### *Judicial Branch*

Article V of the Constitution outlines how to amend (modify) the Constitution. There are two steps to the process: proposal and ratification. Although there are only two ways to propose an amendment to the Constitution, both must be ratified by  $\frac{3}{4}$  of the states. Despite this, the Constitution has been “amended” many times over by the Court’s expansive interpretations of their authority in not only interpreting what is law but redefining the rule of law. The most glaring and most recent example of this is the court’s ruling that detainees at Guantanamo Detention Center be given habeas corpus rights.

As discussed previously, the definition of a citizen is one who rules and is ruled in turn. Citizens must have the capacity for both under the law. Anyone calling his/herself a citizen must be able to swear (or affirm) to support and defend the Constitution of the United States against all enemies, foreign and domestic; bear true faith and allegiance to the same; and take this obligation freely, without any mental reservation or purpose of evasion; and well and faithfully discharge the duties of the office.

Certainly, an enemy combatant would not be considered a citizen by this definition and so the court has perverted the rights and responsibilities of those adhering to and respecting the rule of law. We can see by this example, it

---

<sup>11</sup> Locating The Boundaries: The Scope Of Congress’s Power To Regulate Commerce <http://www.constitution.org/lev/bork-troy.htm>

<sup>12</sup> Cato Handbook on Policy <http://www.cato.org/pubs/handbook/hb109/index.html>

is dangerous to appoint judges based on their ideology and not based on their knowledge and adherence to the enumerated and reserved powers provided under the Constitution. By granting themselves such authority, they have shown blatant disregard for the other branches of government, the citizens of this country, and the intentions of the Framers who outlined the fundamental law of our land.

In order to hold those we elect to represent us in our government accountable to their oath of office, "We the People", need to think Constitutionally and expect the same of our elected officials. The way to address the problem of Constitutional illiteracy is to provide our citizenry access and incentive to understand the meaning and intent behind the creation of our Constitution. Our citizenry must acquire the surplus of knowledge necessary to recognize and disallow judiciary interpretation of the law when it functions as informal amendment to the Constitution. Finally, our President needs to be elected to office by majorities which include minorities, majorities that represent the interests of all the states in our union so that the country continues to grow into a more perfect union.

Thomas Jefferson said, "Reflection..., with information, is all which our countrymen need, to bring themselves and their affairs to rights." This can only mean that our citizenry must be able to think critically about our Constitution and the affairs which affect the delicate balance between freedom and the common good. It is our Constitutional duty to acquire the surplus of knowledge necessary to promoting a more perfect union.

## Chapter 2

### A More Perfect Union

(A balance of Classical, Modern & Religious Ideas)

*“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.”*

– James Madison, Federalist #51

#### *Classical Philosophy*

By reading the Greek historians Herodotus (484BC-425BC), Thucydides (460BC-395BC), known as the father of scientific history and political realism, Polybius (203BC-120BC), who wrote about political balance, and Plutarch (46AD-120AD) who emphasized the importance of virtue, and philosophers Plato (428BC-348BC), known for his theory of forms and Aristotle (384BC-322BC), who created a system of philosophy, and the Roman philosophers Cicero (106BC-43BC), the famous orator and historians such as Livy (59 BC – AD 17), the framers became well acquainted with the greatest thinkers of Greek and Roman civilizations.

From Plato and Aristotle, “they learned about monarchical, aristocratic, and democratic Constitutions, about oligarchies and democracies, about tyrannies and kingships, about the origin and nature of government, and about the polity—that regime described by Aristotle as essentially a limited democracy blending the monarchical, aristocratic, and democratic elements of government, in which the greatest political power is exercised by landholders.” From their extensive studies, they concluded, as indicated in Thomas Jefferson’s own

words, that, “History informs us what bad government is.”<sup>13</sup>

A good Constitution enables society to have a high degree of liberty, order, and justice. When people expect a perfect union instead of a more perfect union, this is when we’re headed for trouble. No country has ever attained perfect freedom, order, and justice for everyone, though some have tried to force such a goal. This sort of utopianism breeds disastrous consequences.

### *Modern Political Philosophy*

Leo Strauss (1899-1973), a “political philosophy” professor, despised utopianism, an impossibly idealistic social theory of which modern day examples include Nazism and Communism. He was well acquainted with the danger wrought by any regime that aspired to global domination, having lived through the rise of Hitler and Stalin.<sup>14</sup> Strauss spent most of his career teaching at the University of Chicago and studying the writings of the ancient Greeks. Strauss understood that America is founded on a mixture of classical (Greco-Roman), Biblical, and modern political philosophy which included the ideas of Machiavelli (1469-1527), whose Discourses on Livy explained how to start a republic with the necessary checks and balances, Hobbes (1588-1679), an English philosopher who wrote in Leviathan about the need for strong central authority, and Hume (1711-1776), a Scottish philosopher, who developed a naturalistic

---

<sup>13</sup> James McClellan, Liberty, Order, and Justice: An Introduction to the Constitutional Principles of American Government [1989] [http://oll.libertyfund.org/index.php?option=com\\_staticxt&staticfile=show.php%3Ftitle=679&Itemid=27](http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=show.php%3Ftitle=679&Itemid=27)

<sup>14</sup> The Real Leo Strauss <http://www.well.com/user/mp/xxStrauss.html>

philosophy putting trust in human reason.<sup>15</sup> Modern political philosophers were reacting to the dominant influence of revelation in their day. Their philosophies were rooted in science and reason.

### *Biblical Philosophy*

Protestant biblical philosophers, such as Luther (1483-1546), who challenged the authority of the Papacy by writing that faith need not be mediated by the church, and Calvin (1509-1564), a French Protestant Theologian were, at first, authoritarian and gave sovereignty to the monarch. This was in contrast to Catholic theorists, who limited the power of Kings to preserve their own authority and the autonomy of the Church. Protestants, for obvious political reasons, enlisted the aid of the Kings to resist the Catholic Church. However, Protestant sects soon rejected the top-down ecclesiastical structure of power in favor of a bottom-up approach. Their own church was to be run by members of the congregation and they began to think of political authority in the same way. Anglicans were more politically conservative, favoring governmental authority, whereas Quakers tended toward more radical democratic ideas.<sup>16</sup>

Strauss learned much from his study of religion, classical, and modern political philosophy. He recognized that religion could be constructive or destructive, depending on the belief system. He also recognized religion's role as a balance to moral relativism, the replacement of moral authority with progress and science. He focused his teachings on the tension that has evolved in western civilization between what he called "life in accordance

---

<sup>15</sup> Leo Strauss, *Conservative Mastermind*  
<http://www.frontpagemag.com/Articles/Read.aspx?GUID=E1F7620E-B83A-4D01-869E-15391DEE2F02>

<sup>16</sup> *Religious Influence on Political Structure*  
<http://libertariannation.org/a/f2312.html>

with Revelation or the life according to Reason —  
Jerusalem versus Athens.”<sup>17</sup>

Strauss taught his students that the liberty that we take for granted and which stems from the mixture of classical, Biblical, and modern political philosophy is at risk not only from outside forces, but from swinging too far in the direction of the radical left and radical right wing factions in this country. Outside forces, such as radical Islamists, who use terrorism as a tool to wage violent Jihad against our country are not open to talk and persuasion. Militant and religious extremists inside our own country do great damage to individual freedom, as well.<sup>18</sup>

### *Know Thy Enemy*

Straussians are critics of multiculturalism. They believe this movement has contributed to a decline in education and that within this institution there is a need to revive a, “sense of citizenship and civic responsibility.” There is also a need to repair, “vital national institutions such as the armed forces,” so that we can protect ourselves from our outside enemies. But first we need to recognize our enemies. William Bennett said it best after 9/11, stating that we need a moral clarity so that we can recognize evil.<sup>19</sup>

---

<sup>17</sup> The Real Leo Strauss  
<http://www.well.com/user/mp/xxStrauss.html>

<sup>18</sup> What Hath Strauss Wrought?  
<http://www.weeklystandard.com/Content/Public/Articles/000/000/002/717acusr.asp?pg=2>

<sup>19</sup> Leo Strauss and the Rhetoric of the War on Terror  
<http://www.logosjournal.com/xenos.htm>

## Chapter 3

### A Balance of Rights

Most contemporary political debate can be traced back to the two philosophies. When focusing on each of the candidates talking points in the race for the presidency, it might be helpful to think of their arguments framed in that great creation of our founding fathers, the Constitution.

Classical republicanism refers to the idea that individuals should put the needs of the community before self-interest. In natural rights philosophy (modern liberalism), the purpose of government is to protect individual rights. The ideal government achieves and maintains a balance between the two ideas. The key word here is balance, there was no either/or intended when the framers wrote the United States Constitution. We need to cultivate the capacity to hold contradictory ideas simultaneously and that we cannot become terrorized by dichotomies.

The Constitution is a brief document and aside from the enumerated responsibilities of the federal government, it is essentially a negative rights document...what isn't specifically listed under the domain of the Executive, Legislative, or Judicial branches of government was left to the states. The Bill of Rights contains the only positive rights listed in the document. The problem with positive rights is that you might forget to list a right, which some of the founders feared could be taken to mean that the right was not given. Our state Constitutions are much longer and difficult to navigate because of all the positive rights written into them. Given that information, does an amendment about marriage belong in the U.S. Constitution?

If any revolution is to succeed, it needs people who are unhappy with the status quo and willing to fight for a new form of government. If most of the colonists had nothing

to lose, why would they want to revolt from England? The revolution had to be framed in a way that commoners had a personal stake in the outcome, therefore the word property was deliberately omitted and happiness was inserted into the line, "...life, liberty, and the pursuit of happiness." At the time of the revolution, the people with the most to lose from the King's policy of taxation were those who owned land and businesses. But the U.S. Constitution was not set up to protect our happiness; it was set up to protect our property.

Our country was founded as a republic, not a democracy but it is interesting to note we have a preamble that says, "We the people" instead of "We the states". This is because the people are citizens of their states and their country. It is difficult for other countries to understand our form of government. To us, it's natural because we have grown up with it. Can our country help other nations set up governments which get their sovereignty from the people and which protect the basic freedoms of life, liberty, and happiness (property)?

The idea of a Constitution test, "In God We Trust", and "Under God" were all responses to Communism. Today, we're trying to eliminate these references and yet we're fighting communist ideology all over again. There must be a distinction made between the American tradition of equality: by virtue of being human there is equality of liberty, and Socialism: equality of outcomes. Did Hillary Clinton misspeak when she suggested to supporters attending a Democratic fundraiser that, "We're going to take things away from you on behalf of the common good." The American people would need to expect to lose some of the tax cuts passed by President Bush if the Democrats win the White House and control Congress.

There is a difference between the establishment of religion in general and the promotion of one religion over another. There is nothing in the U.S. Constitution that says there is to be a separation of church and state. Many of the founders were religious. They did not want one religion promoted over another religion. Most appreciated the morals promoted by Judeo Christian faith. They did not want the freedom to choose a faith influenced by the government. They did not want an official religion. Should religious ideas be excluded by our institutions?

Some people believe that never before in history has our country been so divided, except during the Civil War. The mainstream media reports that we've never been more divided than now. The issues at stake during the Civil War were related to the economy, states' rights, and the freedom of all people to pursue life, liberty, and happiness (or property), not unlike today.

Should the federal judiciary rule on same sex marriage? Should the government take care of the people by redistributing income? Do vouchers to attend better schools allow disadvantaged students a better future to pursue happiness and property? Should we "free" those around the world, i.e. Iraq, Sudan, Liberia, and Somalia, subjected to abuses under dictatorships?

The founding fathers would have decided these and other questions through articulate, civil debate; they wouldn't have accused each other of being liars, blasphemed the church, or told one another to "shove it". Most likely, these questions would have been left to the states. People can always move to a different state. Perhaps some people need to be reminded of that.

# Chapter 4

## Our Unalienable Universal Natural Rights

### *Charters of Freedom*

It is written in the United States' Declaration of Independence that the following assertions are self-evident, "meaning that they hold true without proof or reasoning; they produce certainty or clear conviction upon a bare presentation to the mind." (Webster 1828)

All men are *created equal*.

All men are *endowed* by their Creator with certain *unalienable Rights*.

Unalienable Rights include:

- Life
- Liberty
- Pursuit of Happiness

In the Preamble (introduction) to the US Constitution, it is said:

*We the People* of the United States

*Ordain* (determine or resolve legislatively) –and–

*Establish* the Constitution

- To form a *more perfect* Union
- *Establish* Justice (deciding controversies according to the laws and to principles of equity)
- *Insure* domestic (pertaining to one's own country)  
Tranquility (peacefulness)

- *Provide* for the *common* (for the use of all) defence,
  
- *Promote* the *general* Welfare (the enjoyment of health and the common blessings of life; prosperity; happiness)happiness;
  
- *Secure* the Blessings of Liberty to ourselves and our Posterity

Prior to people compacting or agreeing to live in a society under a rule of law to which they consent, they live in liberty, which refers to a state of exemption from the control of others.” (Webster, 1828)

*This liberty is abridged by the establishment of government. Civil liberty is the liberty of men in a state of society, or natural liberty, so far only abridged and restrained, as is necessary and expedient for the safety and interest of the society, state or nation. A restraint of natural liberty, not necessary or expedient for the public, is tyranny or oppression. Civil liberty is an exemption from the arbitrary will of others, which exemption is secured by established laws, which restrain every man from injuring or controlling another. Hence the restraints of law are essential to civil liberty. The liberty of one depends not so much on the removal of all restraint from him, as on the due restraint upon the liberty of others.*  
 – Webster, 1828

The first ten amendments to the U.S. Constitution, better known as the “Bill of Rights,” make clear<sup>20</sup>:

---

<sup>20</sup> Alphabet of Political Freedom  
<http://www.founding.com/issues/pageID.2470/default.asp>

People do not give up their liberty (freedoms) when they consent to the formation of fundamental (foundational) principles of government by which a nation is governed, or by which individual members of a body politic are to regulate their social actions; a constitution, by which the rights and duties of citizens and public officers are prescribed and defined.

Among such liberties are:

- Freedom of speech
- Freedom to keep and bear arms

These first two rights are particularly vital in guarding against the danger of abuse of power.

Pages could be filled explaining in much more exacting detail the philosophies which had the greatest influence over the founders and framers who penned the words and phrases making up each of the above mentioned documents, otherwise known as the Charters of Freedom.<sup>21</sup> For the purpose of this exposition, the definitions provided from Noah Webster's 1828 Dictionary should suffice in assisting those in deciphering the intended meaning of these words.

### *The Origin of Natural Rights*

In order to consent to the Charters of Freedom, one must concur with Thomas Jefferson's premise that every man possesses natural rights and that these rights are considered unalienable Rights, meaning they cannot be transferred.

---

<sup>21</sup> Charters of Freedom Project  
[http://www.nist.gov/public\\_affairs/Charter/charters\\_of\\_freedom\\_project.htm](http://www.nist.gov/public_affairs/Charter/charters_of_freedom_project.htm)

Natural rights, to which Thomas Jefferson refers to as unalienable, derived from Natural law or from Divine Power, depending on how you look at it.

The theory of Natural law began with the ancient philosophers, “who depended on reason alone for the conduct of life.”<sup>22</sup> They deduced that the law of nature allows us to inherently distinguish between good and evil.

“The assertion of an order of natural laws discoverable by reason is, by itself, neither pro- nor anti-religious.”<sup>23</sup>

The premise is simply that, “We could recognize actions as inherently lawful or unlawful.”<sup>24</sup>

Aristotle argued that humans know or discover how to live together peaceably in a state of nature. In contrast to Aristotle’s view that man can live peaceably in a state of nature, Hobbes believed that man expressed an “innate desire for self-preservation in a state of nature” which he described as “the war against all” in his *Leviathan* (1651).<sup>25</sup> This in turn led to the establishment of a social contract which he proposed is the foundation of civil society.

If one agrees with Aristotle or Hobbes, the following conclusion can be made.

---

<sup>22</sup> Natural Law and Calvinist Political Theory [http://www.amazon.com/Natural-Calvinist-Political-Theory-ebook/dp/B000VXLZ3W/ref=sr\\_1\\_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1](http://www.amazon.com/Natural-Calvinist-Political-Theory-ebook/dp/B000VXLZ3W/ref=sr_1_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1)

<sup>23</sup> Introduction to Natural Law <http://mises.org/story/2426>

<sup>24</sup> Natural Law and Natural Rights <http://jim.com/rights.html>

<sup>25</sup> Natural law <http://www.answers.com/topic/natural-law>

“From the right to self defense comes the right to the rule of law.”<sup>26</sup>

Yet, the premise from which this conclusion is drawn makes a huge difference in how the rule of law is implemented.

*A belief in natural rights tends to result in pluralistic use of force, because people obviously have the right to defend their rights, whereas disbelief in natural rights tends to lead to an absolute monopoly of force to ensure that the state will have the necessary power to crush peoples rights and to sacrifice individuals, groups, and categories of people for the greater good.*

So there are two ways of looking at the rights to which Jefferson referred. They are either universally discovered through man’s inherent ability to recognize right from wrong, therefore everyone is attuned to nature’s law and can abide by these fundamental truths or man needs to contract with other in order to survive, and from this contract stems our quality of life.

Cicero built on Aristotle’s argument. “There is in fact a true law - namely, right reason - which is in accordance with nature, applies to all men, and is unchangeable and eternal.”<sup>27</sup>

“Cicero successfully argued before a Roman court that one of the laws of Rome was unlawful, being contrary to

---

<sup>26</sup> Natural Law and Natural Rights <http://jim.com/rights.html>

<sup>27</sup> IBID

natural law, creating a legal precedent that held throughout the western world for two thousand years.”<sup>28</sup>

*Natural rights are rights which are not contingent upon the laws, customs, or beliefs of a particular society or polity. In contrast, legal rights (sometimes also called civil rights or statutory rights) are rights conveyed by a particular polity, codified into legal statutes by some form of legislature, and as such are contingent upon local laws, customs, or beliefs. Natural rights are thus necessarily universal, whereas legal rights are culturally and politically relative.*<sup>29</sup>

Within the Christian Church, there was initial disagreement about Natural Law. During Medieval times, “the basic message of scripture, the primary authority, was that human minds cannot comprehend god's plan.”<sup>30</sup>

Carl Lotus Becker wrote that during this time, the Pope had “divine right authority over princes as well as over other men.” The Pope could intervene should a Prince fail in their compact, or covenant with their subjects, to rule righteously.<sup>31</sup>

During the Renaissance, Martin Luther espoused state and church as separate but equal servants of God. In order that they might operate independently of the

---

<sup>28</sup> IBID

<sup>29</sup> Natural Right: Encyclopedia  
[http://www.lawfolks.com/Natural\\_right/encyclopedia.htm](http://www.lawfolks.com/Natural_right/encyclopedia.htm)

<sup>30</sup> Lectures for a Medieval Survey  
<http://historymedren.about.com/gi/dynamic/offsite.htm?zi=1/XJ/Ya&sdn=historymedren&zu=http%3A%2F%2Fwww.the-orb.net%2Ftextbooks%2Fnelson%2Fnelindex.html>

<sup>31</sup> Historical Antecedents of the Declaration: The Natural Rights Philosophy  
[http://oll.libertyfund.org/?option=com\\_staticxt&staticfile=show.php%3Ftitle=1177&chapter=208846&layout=html&Itemid=27](http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=1177&chapter=208846&layout=html&Itemid=27)

Roman Catholic Church, “German princes adopted Lutheranism.” Luther gave no consideration to the notion of political theory resting on a moral foundation of natural law.

Eventually kings “became coequals with the Pope in God’s favor; so that in the seventeenth century the right of kings to rule was commonly thought to come directly from God.” This left the subjects with no path to relief should there be any bad kings.

Saint Augustine did not accept the arguments of natural law theorists; the idea that, “non-human living creatures” are “compelled to proceed in accordance with the ends dictated by their natures,”<sup>32</sup> and that “man, ‘the rational animal,’ possesses reason to discover such ends and the free will to choose.”<sup>33</sup>

His belief was, “that reason is better than experience only because even animals can experience.”<sup>34</sup> Further, “the only enduring principle was the will of god and the only way of knowing this was faith and revealed wisdom.”<sup>35</sup>

However, St. Thomas Aquinas shared Aristotle’s view that reason sets man apart from animals and allows man “to act deliberately in view of the consciously apprehended end and raises him above the level of purely instinctive behavior.”<sup>36</sup>

---

<sup>32</sup> Lectures for a Medieval Survey <http://www.the-orb.net/textbooks/nelson/philosophy.html>

<sup>33</sup> Introduction to Natural Law <http://mises.org/story/2426>

<sup>34</sup> Lectures for A Medieval Survey <http://www.the-orb.net/textbooks/nelson/philosophy.html>

<sup>35</sup> IBID

<sup>36</sup> Introduction to Natural law <http://mises.org/story/2426>

“The Christian conception of natural rights evolved and can best be explained in the following manner: natural law limits positive law (laid down law) whereas natural law determines natural rights”<sup>37</sup> and “the nature of man and the world reflects the will of God.”<sup>38</sup>

### *Rule of Law*

“Machiavelli attempted to destroy every medieval tradition. This included natural law, which he ignored in his well-known book, *The Prince*. He coined the motto, “Might is right, right is might” and became an early proponent of “The end justifies the means.” Thankfully, in our country, Machiavelli’s ideas didn’t catch on. Or did it? Some might argue that the Service Employees International Union (SEIU) President Andy Stern’s recent statement, “We like to use the power of persuasion but when that doesn’t work we use the persuasion of power,” is fairly Machiavellian.<sup>39</sup>

The system of government implemented by the Framers is most reflective of John Locke’s *Two Treatises of Government* (1690) in which he explains that “a legitimate civil government seeks to preserve the life, health, liberty and property of its subjects, insofar as this is compatible with the public good.”<sup>40</sup> John Locke recognized that natural rights are not ceded to the government; they are to be protected by the government. At the same time, Locke recognized the importance of

---

<sup>37</sup> Natural Law and Calvinist Political Theory [http://www.amazon.com/Natural-Calvinist-Political-Theory-ebook/dp/B000VXLZ3W/ref=sr\\_1\\_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1](http://www.amazon.com/Natural-Calvinist-Political-Theory-ebook/dp/B000VXLZ3W/ref=sr_1_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1)

<sup>38</sup> Natural Law and Natural Rights <http://jim.com/rights.html>

<sup>39</sup> Brown Shirts vs. Purple Shirts <http://www.creators.com/opinion/michelle-malkin.html>

<sup>40</sup> John Locke <http://plato.stanford.edu/entries/locke/>

the social contract, which establishes a society in which people agree to live peaceably for their mutual benefit.

The balance between individual rights and living in a society for mutual benefit must be maintained. As we in the United States transverse these volatile political times, we must realize the importance of understanding “Natural Rights” stemming from “Natural Law.” The overreach of government is becoming dangerously close to encroaching on our “Natural Rights” as defined by the Framers, whose intellectual level averaged that of a grade 24 education, along the lines of a Stephen Hawking, while their devotion to this country was unsurpassed. It cannot be emphasized enough, the importance of learning the history and philosophy which went into creating the Charters of Freedom. It is our lack of Constitutional Literacy which has contributed to the electing of people to office who are without the vision and intellectual wherewithal to decipher the difference between Liberty and Tyranny.

## Chapter 5

### And “W” takes the Series!

It is the bottom of the ninth inning in game seven of the World Series. The score: 3-3, with two strikes, and runners positioned on 1st and 3rd. The stadium is quiet. And here we go...the windup...and the pitch; it's a fast b...he swings, walloping that ball right over the 1st base line. Runners advance and...he scores! A base hit drives home the winning run! Fans are wild! Players run onto the field, hugging and slapping each other on the back! What a match! Fans sure got their money's worth. Let's give a quick recap about how the games lined up while our cameramen move onto the field...

Can anyone imagine questioning who won this series on the basis of how many runs were scored by each team during the seven games that were played? Of course, not! There would be no arguing, at least not about that. In the World Series, you don't count up all the runs. Teams must win over and over again. Then, that being the case, why are there people who dispute that the 2000 election was stolen from Al Gore on the basis of the popular vote? George Bush won each state. And everyone knows that our national elections are not decided on the popular vote, they are decided on the basis of each win counted among the 50 states

Still, some would argue that this method of electing our president should be changed. And there are plenty of reasons why this should never happen.

First, the Electoral College corrects for defects. It balances out errors and faults in the election process. Mathematicians will explain that votes cannot be counted accurately within a half of a million. In a close election, having the electoral college in place corrects for deficiencies. Indeed, multiple wins in multiple venues

produces a stronger candidate. Therefore, our current system compensates for inaccuracies. Any person voted in as chief executive is a product of multiple constituents; 50 elections, as opposed to one.

Next, although we have a national citizenship, we don't have a national people. Those serving in the national government are a reflection of 50 state peoples; multiple peoples residing in different states, each state represented in the federal system of government. Remember, each state ratified the Constitution. There have never been a national people making national decisions. Weak states have a place under the electoral system that wouldn't exist otherwise. By casting all a state's votes one way, gives every state the importance it was meant to have.

Finally, any sort of national election would distort the power of the executive branch; giving it a power that no other branch could counterbalance. We wouldn't have a president; we would end up with a dictator because a national plebiscite puts the president above every other branch. This is why electors in the college cast their votes to reflect the majority in their state. If there were proportional votes cast, again, there would be a national plebiscite.

People have been screaming about our antiquated election process since before our 43rd president took office. How would the citizens of New York feel if the Yankees were stripped of their World Series trophy on the basis of how many runs were scored throughout the series rather than how many games were won? How about Chicago? I am willing to wager that a lot of people would be up in arms. In all sporting events, there are winners and losers; even if it is by a hair. That's why the saying goes, there's first place and there's not first place.

## Chapter 6

### What is Globalization, Really?

"The Left has always hoped for globalization without the market—an ideologically correct world government."<sup>41</sup> Therefore, it might seem inconceivable to hear conservatives speak about promoting globalism unless the listener is aware that in addition to this first characterization, there can be an entirely different connotation if you consider that, "Globalization simply means freedom of movement for goods and people."<sup>42</sup>

Having two completely different meanings has resulted in confusion about which reference is inferred when using this term. From a leftist perspective, globalism entails working toward a global world order. And under this circumstance, the unique governing principles of this country along with the confluence of rich cultural and ideological views that are continually churning and evolving would be supplanted by one artificial philosophy that suppresses individual ideas and the initiative to act on them.

According to the authors of the Index of Economic Freedom, "The countries with the most economic freedom also have higher rates of long-term economic growth and are more prosperous than are those with less economic freedom."<sup>43</sup> It should not be any surprise, then, that developing countries want more globalization, not less. Therefore, when conservatives discuss promoting

---

<sup>41</sup> Anti-Globalism = Anti-Americanism  
[http://www.taemag.com/issues/articleid.18005/article\\_detail.asp](http://www.taemag.com/issues/articleid.18005/article_detail.asp)

<sup>42</sup> Anti-Globalism = Anti-Americanism  
[http://www.taemag.com/issues/articleid.18005/article\\_detail.asp](http://www.taemag.com/issues/articleid.18005/article_detail.asp)

<sup>43</sup> 2005 Index of Economic Freedom  
<http://www.heritage.org/research/features/index/index.cfm>

globalization, they are trying to export liberty and the free market which promotes it.

Not knowing which frame of reference is being considered when referring to globalism can cause misunderstanding. The late Fred Gwynne (Herman Munster) made a name for himself as a writer of bestselling children's books by playing with homonyms; words that sound or are spelled the same but have different meanings, in *The King who Rained* and *Chocolate Moose for Dinner*. Any teacher who reads these books aloud in a first grade classroom quickly discovers even 6 year olds can understand the difficulty misinterpretation poses.

Whether or not a person takes on a pro-globalism or anti-globalism stance really depends on the accepted meaning of this idea. This needs to be clarified when world leaders are discussing free trade and the need to open up our markets. This is obviously much different than collectivizing land and setting up cooperatives. This has special meaning for teachers when considering the value of advanced placement courses, which challenge high school students with college level curriculum in contrast to the International Baccalaureate program which promotes a global world order.<sup>44</sup>

If the bi product of globalization erodes our national sovereignty, then it can be judged as antithetical to freedom and in the long run will destroy our way of life. One need only look at the number of aliens immigrating to our country and seeking our wealth of opportunity, to understand that the motives of those who seek to destroy these very same freedoms should be seriously questioned.

---

<sup>44</sup> International Baccalaureate Prepares American Students for Globalization  
[http://www.voanews.com/english/archive/2008-03/2008-03-20-voa29\\_cfm](http://www.voanews.com/english/archive/2008-03/2008-03-20-voa29_cfm)

## Chapter 7

### Defining Our Role in a Global Society

“Keep your friends close, keep your enemies closer.” A political or military strategist understands that in order to win a debate or physical confrontation it is imperative to be able to anticipate any arguments or actions that any potential adversary may be planning. It is only in this way that the ultimate victor is able to stay ahead and maintain a position of power. Isolationism puts one in a position of vulnerability; relying on defense not offense. Anticipating the next move is sound policy if one doesn't want to be caught looking the other way.

Since the founding of this country, the United States has proven a power to be reckoned and as such has been able to maintain a higher standard of living despite the malevolence which ebbs and flows in the world around us. Strong leadership and civic responsibility allow us to maintain our way of life. But a Trojan horse has been unleashed within our boundaries and is quietly working to eradicate the values and rule of law which has held our country together for over two centuries.

Sometimes referred to as the fifth column, public opinion is influenced through a variety of media and an education agenda that undermines family values, principles of the US Constitution and promotes membership in a secular world government. Antonio Gramsci, theorized in the “Prison Notebooks” that Christianity serves as a barrier to “the new, revolutionary civilization Marxists wish to create.”<sup>45</sup> Any overt attempt to break it down rallies together adherents who are poised to defend it. It is more effective to attack it subtly, “with the aim of transforming the society's collective mind gradually, over a period of a

---

<sup>45-25</sup> Gramsci's Grand Plan

[http://www.thenewamerican.com/tna/1999/07-05-99/vo15no14\\_gramsci.htm](http://www.thenewamerican.com/tna/1999/07-05-99/vo15no14_gramsci.htm)

few generations, from its former Christian worldview into one more harmonious to Marxism.”<sup>46</sup>

Gramsci believed left wing groups; such as, radical feminists, extremist environmentalists, "civil rights" movements, anti-police associations, internationalists, and ultra-liberal church groups, would need to work alongside Communists to create a united front working for the transformation of the old Christian culture.

Furthermore, Communists and their sympathizers would need to gain control over “churches, education, newspapers, magazines, the electronic media, serious literature, music, the visual arts, and so on,” in order to direct human thought and imagination.<sup>47</sup> With these conditions in place, “serious opposition disappears since men are no longer capable of grasping the arguments of Marxism's opponents. Men will indeed "love their servitude," and will not even realize that it is servitude.”<sup>48</sup>

William Lind in, “What is Political Correctness?” explains that Marxism is making inroads into our society through a movement called Cultural Marxism, more widely referred to as “Political Correctness.” This began a century ago at the Institute of Social Research, or Frankfurt School; whose purpose was to save its founders from Western Civilization. Many of the school’s leaders taught in American universities after fleeing National Socialism in Germany.

He points out many parallels between Political Correctness and classical, economic Marxism; the first being that both ideologies are totalitarian. The goal of

Cultural Marxism is to achieve “a society not merely of equal opportunity, but equal condition.”<sup>49</sup> This vision contradicts human nature, “because people are different, they end up unequal, regardless of the starting point – society will not accord with it unless forced.”<sup>50</sup> Political Correctness takes over freedom of speech, press, and thought.

Second, cultural Marxism and classical, economic Marxism have “single-factor explanations of history. Classical Marxism argues that all of history was determined by ownership of the means of production. Cultural Marxism says that history is wholly explained by which groups – defined by sex, race and sexual normality or abnormality – have power over which other groups.”<sup>51</sup>

Third, both “declare certain groups virtuous and others evil a priori, that is, without regard for the actual behavior of individuals. Classical Marxism defines workers and peasants as virtuous and the bourgeoisie (the middle class) and other owners of capital as evil. Political Correctness defines blacks, Hispanics, Feminist women, homosexuals and some additional minority groups as virtuous and white men as evil. (Political Correctness does not recognize the existence of non-Feminist women and defines blacks who reject Political Correctness as whites).”<sup>52</sup>

Fourth, “Economic Marxists, when they obtained power, expropriated the property of the bourgeoisie and handed it to the state, as the “representative” of the workers and the peasants. Cultural Marxists, when they gain power (including through our own government), lay penalties on

---

<sup>49-51</sup> What is “Political Correctness”?

[http://www.freecongress.org/PC\\_Essays/B\\_Intro\\_and\\_chapter\\_one.pdf](http://www.freecongress.org/PC_Essays/B_Intro_and_chapter_one.pdf)

white men and others who disagree with them and give privileges to the groups they favor. Affirmative action is an example.”<sup>53</sup>

Fifth, both use junk science methods of analysis to twist the evidence to illustrate “the correctness of their ideology in every situation.” Cultural Marxists use linguistic deconstruction to demonstrate that blacks, women, homosexuals, were oppressed, “by reading that meaning into words of the text (regardless of their actual meaning).”<sup>54</sup>

Islamofascists have also gained the understanding that it is easier to win over a people who are sympathetic to their cause than to directly threaten their way of life. In his piece, “Al Qaeda Dupes liberal Left into Fighting Jihad”, Frank Salvato explains that a letter written by Ayman al Zawahiri to Abu Musab al Zargawi, makes it evident Zawahiri understands the importance of the effect of the media.

Examples in his prose include, “The Americans will exit soon,” and “The aftermath of the collapse of American power in Vietnam and how they ran and left their agents is noteworthy.” Salvato believes that Zawahiri “understands that by manipulating the media he can elicit the same outcome for this conflict as the North Vietnamese did at the end of the Vietnam War. In fact, he is counting on it.”<sup>55</sup>

Furthermore, “Playing directly into his hands is the anti-war movement in the United States and abroad. They call for an end to hostilities, for troops to come home, never

---

<sup>55-33</sup> Al Qaeda Dupes Liberal Left into Fighting Jihad  
[http://www.newmediajournal.us/staff/fsalvato/war\\_on\\_terror/10142005.htm](http://www.newmediajournal.us/staff/fsalvato/war_on_terror/10142005.htm)

understanding that those who are waging jihad have no intention of doing the same. While the anti-war left, promoted by the mainstream elitist media, is calling for a de-escalation the radical Islamist jihad, al Qaeda, is recruiting. It couldn't be clearer that the anti-war left in this country – and around the world – is doing Zawahiri's bidding, whether consciously or unconsciously."<sup>56</sup>

The damage wrought by the 5th column is not irreversible but we must recognize it for what it is so that it can be pushed back. One way would be to disallow foreign precedent when determining the meaning of the Constitution. Chief Justice Roberts believes that foreign precedent expands the discretion of judges and “allows the judge to incorporate his or her own personal preferences, cloak them with the authority of precedent, because they're finding precedent in foreign law, and use that to determine the meaning of the Constitution” which is a misuse of precedent.<sup>57</sup> Domestic precedent can confine and shape the discretion of the judges. Most recently, the Supreme Court used foreign precedent when deciding *Roper v. Simmons* on the juvenile death penalty.<sup>58</sup>

Some argue that in education, there is an agenda to bring about a new social order, the genesis of which began in 1915 when a Cleveland Group (Educational Trust) colleague of John Dewey, University of Chicago's Charles Judd, urged members to reorganize the materials of instruction in schools. In retrospect, this may well have been the catalyst for the education credentialing process currently used to certify that schools are financially stable and offer programs of

---

<sup>57-35</sup> The Journal Editorial Report Lead Story  
[http://64.233.167.104/search?q=cache:kl5mdOm2Ho4J:www.pbs.org/wnet/journaleditorialreport/091605/transcript\\_leadstory.html+%22Supreme+Court%22+%2B+%22Foreign+law%22+%2B++precedence&hl=en](http://64.233.167.104/search?q=cache:kl5mdOm2Ho4J:www.pbs.org/wnet/journaleditorialreport/091605/transcript_leadstory.html+%22Supreme+Court%22+%2B+%22Foreign+law%22+%2B++precedence&hl=en)

instruction which are aligned to professional standards for education.<sup>59</sup>

John Dewey, whose theories profoundly influenced education, and who is an honorary president of the NEA, is attributed with some controversial quotes. One quote in the Accuracy in Media collection credits him with:

"There is no God and there is no soul. Hence, there are no needs for the props of traditional religion. With dogma and creed excluded, immutable truth is also dead and buried. There is no room for fixed, natural laws or moral absolutes."

Another NEA member, Willard Givens (executive secretary) is attributed with, "A dying laissez-faire must be completely destroyed and all of us, including the 'owners,' must be subjected to a large degree of social control... An equitable distribution of income will be sought...[And] the major function of the school is the social orientation of the individual. It must seek to give him under-standing of the transition to a new social order."<sup>60</sup>

It is understandable that it might raise some concerns that two influential members of the education establishment would be promoting socialist ideas, however, the problem with quotes is that more often than not they are taken out of context, their original intent misconstrued. This is likelier more true of the Dewey quote than the Givens quote.

The "Building America" social studies texts, promoted by the NEA were condemned by a California Senate Investigating Committee on Education, "for its subtle

---

<sup>36-37</sup> The Grab for Power A Chronology of the NEA  
<http://www.cwfa.org/brochures/nea.pdf>

support for Marxism or socialism contrary to American values.”<sup>61</sup>

Throughout history, prominent members of the NEA have been associated with what could be construed as promoting socialist ideas. For example, NEA Journal editor Joy Elmer Morgan uses the phrase, “The United Peoples of the World,” and discusses, “a world organization’s or world government’s need for an educational branch, a world system of weights and measures, a world police force, and other agencies.”<sup>62</sup> He believed that, “At the very top of all the agencies which will assure the coming of world government must stand the school, the teacher, and the organized profession.”<sup>63</sup>

NEA official William Carr suggested teaching, “attitudes which will result ultimately in the creation of a world citizenship and world government...We cannot directly teach loyalty to a society that does not yet exist, but we can and should teach those skills and attitudes which will help create a society in which world citizenship is possible.”<sup>64</sup>

NEA President Catherine Barrett said in the *Saturday Review of Education*, that “Dramatic changes in the way we will raise our children in the year 2000 are indicated, particularly in terms of schooling.”<sup>65</sup> She continues, “We will need to recognize that the so-called ‘basic skills’, which currently represent nearly the total effort in elementary schools, will be taught in one-quarter of the present school day.”<sup>66</sup> Only then can the teacher “rise to

---

<sup>38-42</sup> The Grab for Power A Chronology of the NEA  
<http://www.cwfa.org/brochures/nea.pdf>

<sup>64-53</sup> The Grab for Power A Chronology of the NEA  
<http://www.cwfa.org/brochures/nea.pdf>

his true calling. More than a dispenser of information, the teacher will be a conveyor of values, a philosopher...We will be agents of change."<sup>67</sup>

For those who disagree with the values promoted by our schools, this is problematic because the NEA is a powerful union t able to, "tap the legal, political and economic powers of the U.S. Congress...with sufficient clout that they may roam the halls of Congress and collect votes to re-order the priorities of the United States of America."<sup>68</sup>

The NEA's influence extends to those who accredit our schools. They have influence at the state and national level.

By the end of the 1970s, Jimmy Carter established the U.S. Department of Education "as a fulfillment of his campaign promise to the NEA to gain its endorsement of him in 1976."<sup>69</sup>

In 1999, the NEA gave first lady Hillary Clinton its "Friend of Education" award. Mrs. Clinton advocated, "expanding the role of the public schools to provide services ranging from day care in early childhood to contraception in adolescence. Her controversial book, *It Takes a Village*, describes her educational philosophy—children belong, not to parents, but to the whole community."<sup>70</sup>

Recognizing the need to break the monopoly of public education over the quality of services and values imparted to our students, conservatives began to advocate free market ideas to improve education. The NEA condemned charter schools as "having been seized on by right wing forces as a wedge to break up and re-

---

segregate education and prepare the way for privatization.”<sup>71</sup> NEA President George Fischer is on record as saying, “Most teachers who have gone through the training process have had their values “clarified” so that they believe they should not promote the imposition of a particular morality upon their students.”<sup>72</sup>

The public school system promotes humanistic moral relativism by teaching “it’s your choice” situation ethics.<sup>73</sup> Only by allowing for school choice in education can parents be assured that their children’s schools will impart the kind of values that Fr. James Thornton believes they should be learning.

*Children and youths should be introduced to such bedrock concepts as honesty, decency, virtue, duty, and love of God and country through the lives of authentic national heroes — men like George Washington, Nathan Hale, John Paul Jones, and Robert E. Lee.*

*Similarly, they will better be able to retain civilized values and maintain healthy minds if they are encouraged to learn to love their cultural inheritance through great literature, poetry, music, and art. Parents must demand from their children the upholding of the morals, manners, and standards of their ancestors.*

*In school, the young must be required to adhere to high standards of scholarship. Most importantly, traditional religion must be an integral part of daily living.”<sup>74</sup>*

The fifth column is threatening our very existence. It is literally aiding and abetting our enemies in their quest to

---

<sup>72-55</sup> The Grab for Power A Chronology of the NEA  
<http://www.cwfa.org/brochures/nea.pdf>

<sup>74</sup> Gramsci’s Grand Plan  
[http://www.thenewamerican.com/tna/1999/07-05-99/vo15no14\\_gramsci.htm](http://www.thenewamerican.com/tna/1999/07-05-99/vo15no14_gramsci.htm)

undermine our cultural inheritance by promoting a secular agenda and allowing minority values and beliefs to be legitimized while marginalizing those held by the majority in this country. It has had the added effect of demoralizing our military while it serves to protect us from those physically attacking our way of life. This flies in the face of every dream that our founders had for our country. What would those who fought for freedom have us do...define our role in a global society or allow our enemies to define it for us?

## **Chapter 8**

### **Precedence Takes Precedence**

It used to be standard curriculum in any US History class to discuss the famous Marbury vs. Madison court case of 1803. Basically, what occurred was that President James Madison denied William Marbury his commission for his appointment as judge. Marbury decided to go to the Supreme Court and ask the Court to issue a writ of mandamus to force Madison to comply with the outgoing President Adams' wishes that Marbury be commissioned as a judge.

The result of that case was that Marbury was not granted the writ because Chief Justice John Marshall declared that the section of the Judiciary Act which expanded the original jurisdiction of the Supreme Court to include issuing writs of mandamus violated the Constitution. Moreover, Marshall set the precedence for judicial review by further declaring that the Supreme Court is the final interpreter of the Constitution and therefore could declare unconstitutional and inoperative any law contrary to the Constitution. Since it was not disputed, the precedent was set and this has been established practice ever since.

The Constitution is pretty specific about what powers are enumerated or given to the Executive, Legislative, or Judicial Branches of the federal government. It is also pretty specific about what powers are left to the states because, after all, we are a republic, lest we forget that every American is a citizen of both the United State and the state in which he/she resides. The power of the federal government has been extended because as interpreted by the courts, the "due process" clause of the 14th Amendment makes much of the federal Bill of Rights applicable to the laws and actions of the states. Precedence developed through decisions made in

individual court cases becomes the precursor for established practice.

Now, the last I heard, the president determines the foreign policy of the nation and is responsible for the conduct of foreign affairs. Administering the election process is the responsibility of the individual states. There has been no precedent set otherwise. There have been no amendments to the Constitution which would state otherwise. As a matter of fact, in the last 200 years, there have only been 27 amendments to the Constitution so things stand pretty much the way the framers intended.

So what made a bunch of congressmen think that they could virtually ignore the laws of the United States Constitution and write a letter requesting the United Nations to monitor U.S elections is beyond me. Could it be that they would like the activities of the United States to be monitored by a world government? Would they like the U.S. to be ruled under a global system of government instead of maintaining the sovereignty of the United States?

Asking the corrupt UN Secretary-General Kofi Annan to provide this sort of assistance went beyond any authority that U.S. Representatives Eddie Bernice Johnson (Tex), Jerrold Nadler (N.Y.), Corrine Brown (Fla.), Julia Carson (Ind.), William Lacy Clay (MO), Joseph Crowley (N.Y.), Elijah Cummings (Md.), Danny Davis (IL), Raul Grijalva (AZ), Michael Honda (CA), Barbara Lee (CA), Carolyn Maloney (N.Y.), Jerrold Nadler (N.Y.), and Edolphus Towns (N.Y.) are given under the legislative powers vested in congress.

Not only did these U.S. representatives act irresponsibly toward their constituencies, they acted in direct violation

of the U.S. Constitution and that they should be facing some serious repercussions for the above transgression.

It should be mandatory that any persons elected as representatives in the federal government are aware of the laws of the U.S. Constitution and swear to uphold them. When will this be addressed? Or will we establish the precedence that nothing will be done in the face of such disregard for an oath of office!

## **Chapter 9**

### **Risking our Nation's Sovereignty**

Anyone who is successful at forging relationships has mastered the art of diplomacy. There are a few simple rules. There is a time and a place for everything. You cannot change another person, only yourself. You have to give to receive. Maintaining a balance of power is probably the most difficult. If one person denies another a relationship, there can be no balance of power because that person has taken all the control. Both parties have to want the relationship for one to occur. Any parent soon realizes that a dictatorial style will not foster loyalty or the intrinsic motivation to behave within a child. At the same time, giving in to a child's demands grants the child all the power. A well-timed tantrum can put an end to a parent's agenda.

When people learn and respect each others' boundaries, they can interact within them and have no fear of upsetting the balance. On the other hand, if a person has difficulty accepting or respecting another's boundaries, that can be a recipe for a confrontation, a break in the relationship, or an unbalanced relationship. Learning how to practice diplomacy is a worthwhile endeavor. By granting each other mutual respect, we can usually get along.

Group dynamics can change the nature of relationships. Working within a group or as part of a team is much different than negotiating the needs of two people. Groups or teams usually have a larger goal which forces us to look beyond our individual differences to achieve this mutual goal. We might have to compromise on some of our personal preferences and beliefs to get along. These personal beliefs and preferences might not even be relevant to the larger purpose.

Within our own country, the Framers recognized the importance of maintaining a balance of power. They divided power between the Executive, Legislative and Judicial Branches of our government. They divided power within the Legislative Branch between the Senate and the House of Representatives. Finally, they divided power between the federal government and the state governments. When the balance of power shifts, what happens is that power swings in the direction of one particular interest. Many factions try to tilt the balance in their direction. The result is that most of the time the balance doesn't move too far because all of the opposing forces are pulling at the same time. This is what the Framers intended. Substantial change needs lots of groups pulling in the same direction all at the same time. In order to get a lot of people to pull in the same direction, they all must feel at some level that their need will be met. This takes compromise. A larger purpose might be enough to set aside personal beliefs and preferences. Therefore, what feels like a small concession is actually reflective of larger change that takes into account on what all factions agree. Again, this is what the Framers intended. Should a minority faction force substantive change that denies other groups their rights, the likelihood is that this change will be rolled back when that faction loses influence by being voted out of power. This is what is considered a bloodless revolution.

So it is with countries. There must be a balance of power. When one country respects the boundaries and the policies of another, in other words, their sovereignty, they can both benefit from trade or investments. Sovereignty depends on the strength of a country to defend its interests. Should one country become aggressive and show disregard for another country it might result in a confrontation, a break in the relationship, or an unbalanced relationship. One thing is for certain. Diplomacy doesn't always work unless it is backed by a substantial show of strength. If one country is aggressive

and another country cannot repel their advances, there is no sovereignty. Unless we all agree to a higher authority, given the power to enforce international laws, the best way to maintain our country's sovereignty is to be able to defend it.

There is a movement to disregard our nation's Constitution and instead answer to a global authority. This is not a well thought out idea. It is one thing to agree to abide by some global standards because our country determines that it is the right thing to do but it's entirely different to have our sovereignty diminished by an international law making body who is not necessarily looking out for our people's best interests and which is unequipped to enforce the standards to which those in our country agree to abide.

Should an international body be provided the force to enforce their rules and decided to make war on our country if we didn't abide by their authority, what would we do? What if we backed down? We would be abdicating our sovereignty if we did not defend our rights. What if we yielded to them our power? We would be giving up our sovereignty. What if an international body told us we were obligated to fight in a battle and on whose side? Would we agree with their decision? Would they be able to force us to take up arms for a cause with which we don't agree? If we yield our sovereignty to a global authority, the delicate balance of power within our own country that was established by the Framers would be erased. The Judeo Christian values which serve as the foundation of our Constitution would be replaced by those the world deemed as more reflective of the world order. The freedoms we take for granted would disappear. We would no longer be sovereign and could not defend our rights on the international stage.

In a world where countries are required to forego the balance of power to achieve world peace, one must ask at what cost? What kind of peace would be achieved? Would there be freedom of speech or would what we say be controlled by the Politically Correct Gestapo? Would there be opportunities to become what we want to be or would this be determined by those deemed more capable of deciding our fates? How could this not turn into anything more than a socialist experiment? Worse, why is there any reason to believe that countries that follow Communism, Sharia law or have entirely different ideas of what Human Rights actually means would buy into such a world body? Many who are members of the UN vote one way but their actions belie their words. Global governance is a utopian idea at best.

We are not perfect. The Framers understood this. That is why we strive for a more perfect union. We are a sovereign nation in order to protect the balance of rights we have created. We must allow for imperfections, for contrary ideas, for dissonance. If we can accept this and respect each others' boundaries we can get along. It's when boundaries are crossed that there is trouble ahead.

## **Chapter 10**

### **Undermining our Sovereignty from Without & Within**

The first amendment to the United States Constitution expressly prohibits the United States Congress from making laws that infringe on the freedom of the press. While it should be expected that those elected to the legislature have at least a basic understanding of the Bill of Rights, this is not necessarily the case.

“Those who have held elective office earn an average score of 44% on the civic literacy test (Elected Officials Score Lower than the General Public), which is five percentage points lower than the average score of 49% for those who have never been elected.”<sup>75</sup> Neither score bodes well for the state of our nation.

If we are to continue to be a sovereign country, we must understand the rule of law and why each and every word of the founding documents are so important to the defense of our nation and to the continuation of our freedoms.

While copies of the founding documents (Declaration of Independence, US Constitution, Bill of Rights) can be found freely on the internet, the basic understanding of the meaning behind the Founders’ and Framers’ words appears lost on a great many Americans. Perhaps this is why Google, a private corporation, has been allowed to get away with systematically censoring a great many authors and publications that call for a critical examination of radical Islam, take issue with the unfounded theory of global warming, and more recently, displayed criticism of extreme progressive left political candidates and principles. One can surmise that Google

---

<sup>75</sup> Elected Officials Score Lower than the General Public  
[http://www.americancivilliteracy.org/2008/additional\\_finding.html](http://www.americancivilliteracy.org/2008/additional_finding.html)

figures that since less than 50% of the people are not going to employ any intelligence in making sense of the founding documents or in trying to understand their relevance in today's world, they don't pose a threat to the utopian world order they are promoting at the expense of the rule of law that has guided our nation for over 200 years. (Is Left-Leaning Google Censoring Right-Leaning Websites?)

Sadly, the lack of outrage over this censorship by a private search engine such as Google, which has virtually monopolized access to any information made available over the internet, has not only made it much more difficult to construct a well researched opinion about what is happening around the world and how these events may affect our way of life but it is literally revising our history as it is happening right before our eyes.

This global ideology, which introduced (What is Political Correctness?) uniformity of thought and has infiltrated our schools, our media, and our legal system and is threatening the future of our culture, is advanced by the fifth column and appears to be winning the hearts and minds of those who believe the propaganda associated with it. Adherents of this Marxist ideology embrace moral relativism and do not take the time to understand the importance of the Judeo/Christian influences on the fundamental values that guide our civilization.

At the same time, our country is fighting a war against those who embrace a radical ideology whose goal is to impose Islamic rule over Infidels, those who doubt or reject the tenets of Islam. There have been three declarations of war against our country since 1996, when Osama Bin Laden declared war (DECLARATION OF WAR AGAINST THE AMERICANS OCCUPYING) against the United States of America, followed by Al Qaeda's 1998 "Fatwah" against America (Al Qaeda 1998

Fatwah of Jihad Against America) –incidentally, Fatwahs can only be issued by an Islamic religious figure- and, most recently, the president of Iran’s letter (President Ahmadinejad’s letter to President Bush), “widely interpreted as a peaceful overture” yet “is in fact a declaration of war” as evidenced by the closing salutation, “Peace only unto those who follow the true path.”<sup>76</sup>

History reveals that the prophet Mohammad’s letters to the Byzantine emperor and the Sassanid emperor “telling them to convert to the true faith of Islam or be conquered” included the same phrase that President Ahmadinejad used to conclude his letter to [President] Bush.<sup>77</sup>

These terrorist groups or sponsors of terrorist groups likely already possess the means to create a nuclear explosion high above the United States that would produce an electromagnetic pulse in our atmosphere strong enough to severely damage all the civilian electrical power sources and electrical equipment on which our society relies.

According to, The report of the Commission on the Prevention of WMD Proliferation and Terrorism, "Were one to map terrorism and weapons of mass destruction today, all roads would intersect in Pakistan."<sup>78</sup>

An explosion of this magnitude could set our civilization back hundreds of years. The comforts to which we’re accustomed would be gone. It’s nearly impossible to conceive what this would do to our present way of life.

---

<sup>76-59</sup> President Ahmadinejad’s letter to President Bush  
<http://regimechangeiran.blogspot.com/2006/05/iran-declares-war.html>

<sup>78</sup> Panel Warns Biological Attack Likely By 2013  
<http://www.firstcoastnews.com/news/waronterror/news-article.aspx?storyid=125116&catid=33>

And that is the idea...

The colonists had begun to settle this country one hundred years before they acquired the wherewithal to declare our independence. Should our country fall to nefarious forces, if our civilization witnesses a nuclear holocaust, we may never again experience life as we know it. The sovereignty of our country depends on the ability to protect our freedoms from without and from within. The continued public apathy and indifference to the encroachment on our protected rights will ultimately erase our liberties with nary a shot being fired.

## Chapter 11

### The Right to Defend Sovereignty

It is written in the Declaration of Independence that “all men are created equal and that they are endowed by their Creator with certain unalienable rights.” Each and every one of us has the right to life, liberty and the pursuit of happiness. A seemingly simple idea, it’s the definition of when a life begins or should end, when the liberty of one being is to be considered encroaching on the liberty of another, and on the meaning of personal happiness on which we disagree.

I imagine one would be hard pressed to find anyone who doesn’t want a peaceful existence which would allow us to go about our lives unencumbered by external threats. Again, it’s the method our country uses to achieve a relatively peaceful existence and at what cost --on which we currently disagree. While all of these topics are worthy of discussion and study, the question of our nation’s sovereignty begs examination at this moment in time because our present way of life is the direct result of our nation’s sovereign status in the world and so for many of us, it is worth preserving.

#### *A Higher Law*

In his book *Law without Nations? Why Constitutional Government Requires Sovereign States*, Jeremy Rabkin, a Professor of Law at George Mason University School of Law, notes that the Declaration of Independence (1776) begins and ends with an appeal to the Laws of Nature and of Nature’s God –a higher law- which transcends the law of any one state and entitles each nation to an equal station among the powers of the Earth. (71) This same law gives us our right to life, liberty, and the pursuit of happiness.

In joining the ranks of “free and independent states,” the Declaration concludes, the United States can now claim “full Power to levy War, conclude Peace, contract Alliances, establish Commerce and to do all other Acts and Things which Independent States may of right do. (72)

Where did such an idea come from? Why should we accept this to be the truth? Why shouldn't we subvert the law of our land, the Constitution of the United States, to a higher authority such as the United Nations, whose charter charges it with promoting and maintaining the peace?

According to *The Law of War and Peace* by Grotius (1625), governments of independent states do not answer to any higher human authority. Natural rights can be justly advanced in the absence of any higher authority. They need no international legislator to promulgate these rights. Natural law is the “great-grandmother” of domestic law. (74-76)

According to Emmerich de Vattel (1757), “It is for each Nation to consider and determine what duties it can fulfill towards others without failing in its duty toward itself. (80) The decision to go to war is a national decision. (82)

David Hume (1742) defends a foreign policy aimed at “preserving” a European “balance of power.” (85)

### *The Opposing View*

Believing that sovereign nations left in a state of nature with each other would be tempted to use war to gain advantage, Immanuel Kant believed there needed to be a peacekeeping federation of states which has more force

at its disposal than any one member and would outlaw war by guaranteeing members against invasion.

Such an idea falls under the category of utopian and it is unrealistic to believe that a federation would not interfere in the internal affairs of nations or be sufficient to maintain peace. (87)

James Madison believed “projects for universal peace” to be folly, that independent republics cannot trust to others to determine their rights, without forfeiting their independence. (89)

### *Foreign Entanglements*

"The great rule of conduct for us, in regard to foreign nations, is in extending our commercial relations to have as little political connection as possible...Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalships, interest, humor, or caprice?...It is our true policy to steer clear of permanent alliances with any portion of the foreign world." George Washington

The United States did not join the League of Nations because it promised to guarantee the territorial integrity of every member state, threatening to entangle all its members in the quarrels of any one of its members. (118)

On the other hand, the United States joined the United Nations because its charter stipulated that “nothing” in its provisions “shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter”. When the UN Charter reestablished the

League's International Court of Justice, the US Senate's Foreign Relations Committee recommended that the Senate accept compulsory jurisdiction, but with a reservation exempting "matters which are essentially within the jurisdiction of the United States, as determined by the United States." (123)

Treaties are not irreversible and they are not enforceable without an army. In Federalist No. 43 Madison writes that without a federal Constitution to establish a common force, the American states will have nothing more reliable to hold them together than a treaty, which is insufficient since it can be repudiated by any signatory. (89) So long as a treaty is in the best interests of the signatories, it will likely be adhered.

The bottom line is that American policy has always condoned international law or international relations which help to preserve our way of life. (99) To maintain our sovereignty, the United States has implemented different strategies throughout our existence in order to achieve this end.

### *Deterrence*

Our country has sought to deter acts of aggression against us by building our military strength and our defensive capabilities. During the Cold War, the United States signed several mutual defense agreements, the first being the Rio Pact (1948) with Latin America (123) and, later, NATO (1949) with Canada and Western Europe. (124)

### *Containment*

Another way our country has acted to deter acts of aggression against our way of life is to contain ideologies based on aggression. Sometimes the means has brought

our sovereignty into question. For example, after a UN Security Council resolution authorized armed response to communist aggression in Korea --allegedly making it unnecessary to seek direct congressional approval (124) and in part because of their frustration with the armed intervention in Vietnam, Congress implemented the War Powers Act 1974, limiting presidential power "To Make War" without explicit congressional endorsement so that the UN couldn't replace formal consent to war measures by the US Congress. (124) It is important to note the difference between making war and declaring war, as delineated in the US Constitution. The Framers clearly intended "leaving to the Executive the power to repel sudden attacks" without the explicit approval of Congress.

During the Cold War, prominent legal scholars argued that International Commitments by joint legislative-executive resolution could serve as an alternative to treaties. (124) By 1975, Congress authorized presidential negotiations of trade agreements (seen as helpful to Cold War allies) in which Congress accepted or rejected the results in a single package, without attempting any amendments or reservations and secured by simple majorities. (126)

Not everyone agreed with this policy and had it been passed, the Bricker amendment would have required that no international agreement could take effect without separate congressional action and that Congress needed to already have the authority within their Constitutional powers to enact legislation. (125)

Within 20 years of authorizing the joint legislative-executive resolution, Congress no longer sanctioned trade agreements specifying internal standards of conduct on labor relations and the environment. We

didn't want to entangle domestic regulatory issues in trade agreements. (126)

Sovereignty was taken into consideration when the Senate would not support President Carter's Strategic Arms Limitation Treaty (SALT II) and rejected President Clinton's Comprehensive Test Ban Treaty. Only the UN Convention on the Punishment of Genocide was fast tracked, ratified during the Reagan Administration with reservations, depriving ratification of all force. Since that time, very few human rights conventions have been ratified—all with reservations-- depriving ratification of all force. (126)

The priority of maintaining our sovereignty was never questioned. Why, now, is there all this talk about globalism? Those trying to move our country in the direction of Global Governance make the argument that international human rights law trumps the sovereignty of governments. (158) Yet, this contradicts our country's rule of law which rests on the idea that to secure our unalienable rights, "governments are instituted among men, deriving their just powers from the consent of the governed." (159)

Non Government Organizations (NGO's) such as foundations and charities raise funds and lobby government about humanitarian issues, developmental aid and sustainable development. Many international NGOs have a consultative status with United Nations agencies relevant to their area of work.

*"The American Civil Liberties Union (ACLU) published pamphlets attacking human rights deficiencies in the policies of American state and local (and federal) governments; now the ACLU cited international conventions to advance its views, not merely American*

*Constitution precedents. Amnesty International threw itself into a campaign against capital punishment in the U.S., invoking various international treaties to show that executions in the United States were contrary to international law.” (176)*

As a result of the lobbying efforts of such organizations, the US has ratified many human rights conventions (international agreements), such as CEDAW, the Convention on the Elimination of all forms of Sex Discrimination. (177) NGO's definition of human rights has been expanded to include the right to environmental protection, adequate housing, and such.

Most recently, the United States has been pressured by groups like “Friends of the Earth” and foreign politicians, for not buying into the Kyoto Protocol and for refusing to impose mandatory restrictions on the emission of carbon dioxide. The International Panel for Climate Change continues to sway public opinion toward reducing carbon emissions as much as 80 per cent -which could cripple western economies and lower living standards, despite evidence that global warming is based on fraudulent data. It's especially interesting that the theory of global warming has quietly been replaced by climate change. The ability to market an idea and influence public opinion can have devastating consequences on our sovereignty.

Human rights, gender equality, and sustainable development became mutually supporting causes in the movement advocating global civil society. Former UN Secretary Generals Boutros-Ghali and Kofi Annan came to believe that international law trumped sovereignty. Boutros-Ghali said that the new world system undermined the exclusive claims of the state to jurisdiction over the lives of its citizens and Kofi Annan is quoted as saying “the language of global society is international law.” (179) For all their talk about human

rights, UN peacekeepers sent to protect citizens in warring countries such as Bosnia and Rwanda watched as 8000 civilians were massacred in Srebrenica by Serb militias and the Hutu government committed genocide on a million Tutsi's, (180) all but verifying that an international body cannot protect the interests of a sovereign nation.

Just the same, the UN Security Council created tribunals to deliver justice in countries over which they had no authority. In Bosnia and Rwanda, the tribunals failed to bring adequate justice, yet the UN believed it had a mandate to create an international criminal court (ICC) (182) The resultant ICC statute "insists that restraints in war are binding-whatever the opposing side may do. So it is a crime to interfere with ambulances-even if the other side uses ambulances to smuggle guns and fighters. It is a crime to attack churches and mosques-even if the other side uses them to shield its fighters. The ICC is a monument to a faith in world law." (190) Those who buy into the ICC believe that world law supersedes sovereignty. Should a US soldier face trial in a foreign court of law even if no law under the US Constitution has been broken? Should our soldiers be subject to the ICC statute?

Free Trade Agreements have also contributed to the chinks in the rule of law established by the US Constitution. By allowing authorized parties to appeal rulings of the US trade commission to a binational panel of arbitrators, the US has agreed to allow an international arbitration panel to determine internal American law. (213) Furthermore, the United States has been willing to comply with World Trade Organization (WTO) rulings. (228) This has been allowed to occur despite the fact that the US Constitution forbids –forbids- the United States to let itself be bound by laws to which it has not properly

consented through the prescribed Constitutional procedures. (267-268)

Unless those charged with representing the citizens of this country are required to have a basic understanding of the US Constitution and of the underlying foundation on which this document rests, it is likely that the rule of law will be undermined by ideologically driven or opportunistic policy decisions. It is already happening when the judicial branch of our government make reference to foreign precedence. It is already happening when members of a presidential staff are vetted despite indiscretions such as failure to pay federal taxes. It is already happening when the Electoral College fails to determine whether the president meets the prerequisite Constitutional conditions to run for office. It is already happening when the Speaker of the House urges the Congress to push through a resolution quickly instead of allowing our system of checks and balances slow down the decision making process so that emotion doesn't affect our judgment in the immediate circumstances.

How can so many people believe that yielding our sovereignty to a world governing body, such as the UN, would be in the best interest of our country? Probably the biggest reason is that many of our citizens do not understand the rule of law that governs our country. As a matter of fact, many Americans believe we live in a Democracy, rule by many, not a Republic. Yet, the word Democracy doesn't appear in the Declaration of Independence, the US Constitution, or in any of the 50 states' Constitutions. The Founders gave us the rule of law in a Republic where the rights of the government aren't subject to majority rule, but to the law. This is because the Founders and Framers understood that the flaw in Democracy is that the majority isn't restrained. On the other hand, in a Republic, the government is limited by law, leaving the people alone. A fragile balance must

be maintained between the power given to a government and the rights of the people it is designed to protect. When government power grows, freedom recedes.

Too many people have failed to take an active role in the governmental process. If through ignorance, our country yields the protection of our rights to an organization, such as the UN, we would be giving up the sovereignty which has maintained our freedoms for all these years. Sovereignty gives us the ability to protect our liberty, by force if necessary. It's time to stop criticizing our country for not yielding our sovereignty to the various human rights conventions that have been put forth over the last 20 years. As Benjamin Franklin warned, it's up to us whether or not we can keep our Republic.



## **Bibliography**

(n.d.). Retrieved from

<http://www.founding.com/issues/pageID.2470/default.asp>

(n.d.).

(n.d.). Retrieved from

[http://www.nist.gov/public\\_affairs/Charter/charters\\_of\\_freedom\\_project.htm](http://www.nist.gov/public_affairs/Charter/charters_of_freedom_project.htm)

(n.d.). Retrieved from [http://www.amazon.com/Natural-Calvinist-Political-Theory-](http://www.amazon.com/Natural-Calvinist-Political-Theory-ebook/dp/B000VXLZ3W/ref=sr_1_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1)

[ebook/dp/B000VXLZ3W/ref=sr\\_1\\_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1](http://www.amazon.com/Natural-Calvinist-Political-Theory-ebook/dp/B000VXLZ3W/ref=sr_1_1?ie=UTF8&s=digital-text&qid=1250080897&sr=1-1)

(n.d.). Retrieved from <http://jim.com/rights.html>

(n.d.). Retrieved from

<http://www.answers.com/topic/natural-law>

(n.d.). Retrieved from

[http://www.lawfolks.com/Natural\\_right/encyclopedia.htm](http://www.lawfolks.com/Natural_right/encyclopedia.htm)

(n.d.). Retrieved from

<http://historymedren.about.com/gi/dynamic/offsite.htm?zi=1/XJ/Ya&sdn=historymedren&zu=http%3A%2F%2Fwww.the-orb.net%2Ftextbooks%2Fnelson%2Fnelindex.html>

(n.d.). Retrieved from

[http://oll.libertyfund.org/?option=com\\_staticxt&staticfile=snow.php%3Ftitle=1177&chapter=208846&layout=html&Itemid=27](http://oll.libertyfund.org/?option=com_staticxt&staticfile=snow.php%3Ftitle=1177&chapter=208846&layout=html&Itemid=27)

(n.d.). Retrieved from <http://mises.org/story/2426>

(n.d.). Retrieved from <http://www.the-orb.net/textbooks/nelson/philosophy.html>

(n.d.). Retrieved from <http://mises.org/story/2426>

(n.d.). Retrieved from <http://www.creators.com/opinion/michelle-malkin.html>

(n.d.). Retrieved from <http://plato.stanford.edu/entries/locke/>

Al Qaeda 1998 Fatwah of Jihad Against America. (n.d.). Retrieved from <http://www.unitedstatesaction.com/war-declaration2.htm#1998%20Fatwah>

Becker, C. L. (1922). The Declaration of Independence: A study on the History of Political Ideas, Chapter II Historical Antecedents of the Declaration: The Natural Rights Philosophy. Retrieved February 23, 2008, from [http://oll.libertyfund.org/?option=com\\_staticxt&staticfile=show.php%3Ftitle=1177&chapter=82509&layout=html&Itemid=27](http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=1177&chapter=82509&layout=html&Itemid=27)

Calif bill would change electoral college. (n.d.). Retrieved from <http://www.upi.com/NewsTrack/view.php?StoryID=20060531-084707-7780r>

DECLARATION OF WAR AGAINST THE AMERICANS OCCUPYING. (n.d.). Retrieved from <http://www.outpost-of-freedom.com/opf980830a.htm>

Declaration of War by the United States. (n.d.). Retrieved from [http://en.wikipedia.org/wiki/Declaration\\_of\\_war\\_by\\_the\\_United\\_States](http://en.wikipedia.org/wiki/Declaration_of_war_by_the_United_States)

Elected Officials Score Lower than the General Public. (n.d.). Retrieved from [http://www.americancivilliteracy.org/2008/additional\\_finding.html](http://www.americancivilliteracy.org/2008/additional_finding.html)

Intergovernmental Panel on Climate Change. (n.d.). Retrieved from <http://www.ipcc.ch/>

Is Left-Leaning Google Censoring Right-Leaning Websites? (n.d.). Retrieved from [http://www.americanthinker.com/2006/05/is\\_leftleaning\\_google\\_censorin.html](http://www.americanthinker.com/2006/05/is_leftleaning_google_censorin.html)

NGO Global Network. (n.d.). Retrieved from <http://www.ngo.org/index2.htm>

Non-governmental Organization. (n.d.). Retrieved from [http://en.wikipedia.org/wiki/Non-governmental\\_organization](http://en.wikipedia.org/wiki/Non-governmental_organization)

President Ahmadinejad's letter to President Bush. (n.d.). Retrieved from <http://regimechangeiran.blogspot.com/2006/05/iran-declares-war.html>

Professor denies global warming theory. (n.d.). Retrieved from <http://www.dailyprincetonian.com/2009/01/12/22506/>

Rabkin, J. (2005). Rabkin, Jeremy Law Without Nations? Why Constitutional Government Requires Sovereign States. Princeton University Press.

The American Form of Government. (n.d.). Retrieved from <http://www.wimp.com/thegovernment>

The Week That Was \*\*Special Earth Day Issue\*\*. (n.d.). Retrieved from <http://www.sepp.org/Archive/weekwas/2001/April21.htm>

Webster, N. (1828). First Edition Of AN American Dictionary Of The English Language. G. & C. Merriam Company.

What is Political Correctness? (n.d.). Retrieved from <http://wuphys.wustl.edu/~katz/pc.html>

Whitehead, J. W. (2005, March 7). The Ten Commandments: The Role of Religion in Modern Society. Retrieved January 31, 2009, from The Rutherford Institute:  
[http://www.rutherford.org/articles\\_db/commentary.asp?record\\_id=326](http://www.rutherford.org/articles_db/commentary.asp?record_id=326)

## Index

Aristotle, 18, 21, 31, 32, 34

Articles of Confederation, 7, 18

Bill of Rights, 25, 29, 51, 58

Charters of Freedom, 28, 30, 36

Cicero, 21, 32

citizen, 6, 7, 10, 11, 12, 13, 17, 19, 20, 24, 26, 30, 38, 47, 51, 68, 69, 70

compact, 17, 29, 33, 79

Constitution, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 36, 38, 41, 45, 51, 52, 53, 56, 58, 62, 63, 65, 66, 68, 69, 70, 76

convention, 7, 8, 67, 68, 71

covenant, 9, 33

divine right, 33

domestic, 9, 10, 15, 19, 28, 45, 63, 64, 67

Electoral College, 6, 12, 37, 70

federalism, 6, 12

fundamental, 6, 8, 20, 30, 32, 59

fundamental law. See Constitution

general Welfare, 9, 17, 18, 29

Hobbes, 22, 31

John Locke, 35

justice, 9, 16, 22, 69

Justice, 14, 28, 45, 51, 65

law of our land. See Fundamental Law

Leviathan, 22, 31

liberty, 5, 7, 8, 9, 12, 13, 14, 17, 22, 24, 26, 27, 29, 30, 35, 40, 62, 71

Liberty, 28, 29, 36

Machiavelli, 22, 35

Martin Luther, 33  
Natural law, 31, 33, 34, 35, 36, 46, 63  
Natural Rights, 5, 25, 28, 30, 31, 32, 33, 35,, 36, 63  
ordain, 5, 9, 10  
Ordain, 28  
preamble, 10, 26  
Preamble, 28  
precedent, 14, 33, 45, 51, 52, 68  
ratification, 8, 16, 19, 67  
Ratification, 8  
Saint Augustine, 34  
social contract, 31, 36  
St. Thomas Aquinas, 34  
union, 5, 7, 7, 8, 9, 11, 12, 14, 20, 21, 22, 28, 35, 48, 57,  
67  
Welfare, 9, 17, 18, 29

## **Glossary**

**Articles of Confederation:** Drafted in 1777 by the same Continental Congress that passed the Declaration of Independence, the articles established a "firm league of friendship" between and among the 13 states.

Created during the throes of the Revolutionary War, the Articles reflect the wariness by the states of a strong central government. Afraid that their individual needs would be ignored by a national government with too much power, and the abuses that often result from such power, the Articles purposely established a "constitution" that vested the largest share of power to the individual states.

**Citizen:** In the United States, a person, native or naturalized, who has the privilege of exercising the elective franchise, or the qualifications which enable him to vote for rulers, and to purchase and hold real estate.

If the citizens of the United States should not be free and happy, the fault will be entirely their own. Washington.

**Compact:** to join firmly; to consolidate; to make close; as the parts which compose a body.

**Constitution:** The established form of government in a state, kingdom or country; a system of fundamental rules, principles and ordinances for the government of a state or nation. In free states, the Constitution is paramount to the statutes or laws enacted by the legislature, limiting and controlling its power; and in the United States, the legislature is created, and its powers designated, by the Constitution.

**Convention:** In the United States, this name is given to the assembly of representatives which forms a

Constitution of government, or political association; as the convention

which formed the Constitution of the United States in 1787.

Covenant: between the members of a church, that they will walk together according to the precepts of the gospel, in brotherly affection.

Domestic: Pertaining to a nation considered as a family, or to one's own country.

Enumerated: An account of the number of things, in which mention is made of every particular article.

Justice: The virtue which consists in giving to every one what is his due; practical conformity to the laws and to principles of rectitude in the dealings of men with each other.

Liberty: the liberty of men in a state of society, or natural liberty, so far only abridged and restrained, as is necessary and expedient for the safety and interest of the society, state or nation.

A restraint of natural liberty, not necessary or expedient for the public, is tyranny or oppression.

Ordain: To set; to establish; to institute; to constitute.

Preamble: The introductory part of a statute, which states the reasons and intent of the law.

Precedence: In law, a judicial decision, interlocutory or final, which serves as a rule for future determinations in similar or analogous cases; or any proceeding or course of proceedings which may serve for a rule in subsequent cases of a like nature?

Ratification: The act of giving sanction and validity to something done by another.

Reserved: Kept for another or future use; retained.

Socialization: To place under government or group ownership or control.

Union: The act of joining two or more things into one, and thus forming a mixture blended without an alteration of the substances, each of which still retains its own nature and properties. Thus the United States of America are sometimes called the Union.

Welfare: Exemption from any unusual evil or Calamity; the enjoyment of peace and prosperity, or the ordinary blessings of society and civil government

## **About the Author**

Nancy Salvato is the President and Director of Education and the Constitutional Literacy Program for BasicsProject.org, a non-profit, non-partisan 501(c)(3) research and educational project whose mission is to re-introduce the American public to the basic elements of our Constitutional heritage while providing non-partisan, fact-based information on relevant socio-political issues important to our country, specifically the threats of aggressive Islamofascism and the American Fifth Column. She serves as a Senior Editor for The New Media Journal. She is also a staff writer, for the New Media Alliance, Inc., a non-profit (501c3) coalition of writers and grass-roots media outlets. She can be contacted at [nsalvato.basicsproject@comcast.net](mailto:nsalvato.basicsproject@comcast.net)

## **BasicsProject.org**

Basics Project is a non-profit, non-partisan 501(C)(3) research and educational initiative whose mission is to re-introduce the American public to the basic elements of our Constitutional heritage while providing non-partisan, fact-based information on relevant socio-political issues important to our country, specifically the threats of aggressive Islamofascism and the American Fifth Column.

Basics Project works to educate the American people using primary source materials and culling qualified opinions from governmental agencies, congressional testimonies, internationally recognized experts, credible think tanks and editorial boards, as well as by providing a forum for groups offering differing perspectives. Basics Project's goal is the liberation of the American people from what James Madison called "factions" and special interests in government.

Through educational advocacy for our citizenry and providing access to reliable information via our website and symposiums, Basics Project fosters the re-emergence of civic responsibility and active, responsible participation of citizens in their government.

As a 501(c)(3) qualified tax-exempt organization, your contributions to Basics Project are fully tax deductible for federal income tax purposes, subject to appropriate limitations. You can help us achieve our goals by taking advantage of the tax savings available to you through your financial support of our organization.

Whether it's an individual contribution or building Basics Project into your corporate financial structure, the options remain the same, you can pay taxes to the federal

government and hope Congress spends it wisely, or you can affect that amount by contributing to Basics Project with a guarantee it is going to help preserve our American Heritage.

Donations and contributions to Basics Project are tax deductible to the fullest extent of the law.

**By US Mail**

Basics Project  
PO Box 583  
Downers Grove IL 60515-0583

**eMail**

[contact@basicsproject.org](mailto:contact@basicsproject.org)

## Notes

## Notes