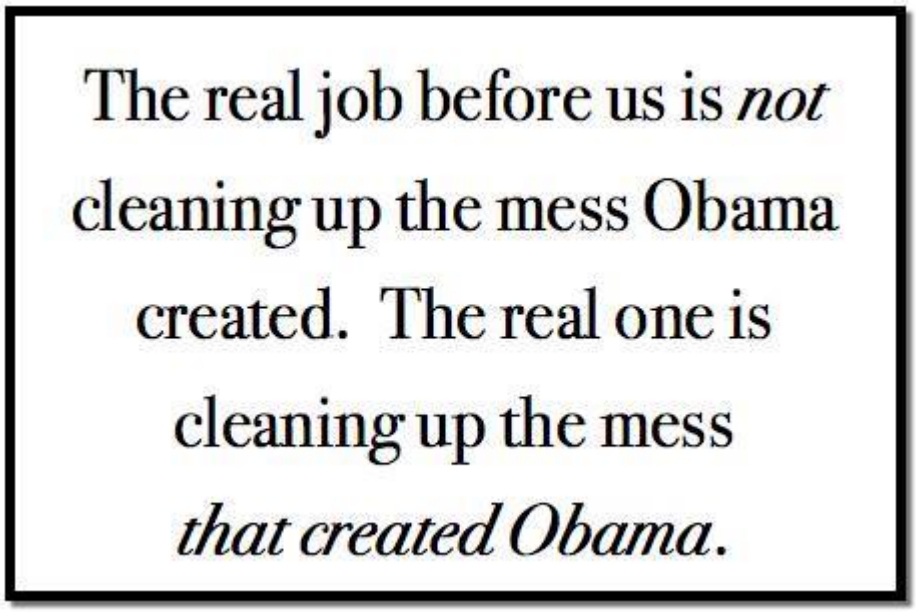
# The Mess That Created Obama

I am prevelant on Facebook, which proves I really have no life. Actually I am very active in other things. One of those things is studying the Constitution of the United States, Bill of Rights and the true history of the United States. I mention this only because these two things have recently connected.

While purusing Facebook, I cam across this graphic.

The real job before us is not cleaning up the mess Obama created. The real one is cleaning the mess that created Obama.




Truer words were never spoken and, quite frankly, I can say the same about Trump. Only time will tell about the Trump legacy, but he would not have been my first choice. He was the only choice of the choices given, however. Yes, I voted for him and would do the same under similar circumstances.

The mess that created Obama is voter fraud. The fraud was prevelant, clearly evidenced and in your face. That is because the Republicans got into a court battle and promised not to say anything about voter fraud because they were being meanies. So I shall pinpoint the problems that caused this "mess." In this article I will cover political labels that may

hurt your feelings.

The main problem is that almost everyone allows others to think for them. They do not catch on when even Fox news is laughing in their face.

**LABELS**

When the term “Deplorables” was recently used against Trump supporters, they responded in an amazingly quick and devious manner. They took on the new name with pride and waved it like a flag. Even to the point of attempting to get a new U.S. Navy ship named “The Deplorables.” Unlike the progressives when called snowflakes.

I thought it interesting because the “liberals,” as you call them, are not liberal at all. They have stuck it to you with that label since the 1960s. The left-wing Wikipedia actually makes a distinction between the so-called liberalism of today with what they call “Classic liberalism.” The difference?

Classic liberals are those who believe in freedom. The free market economy. Natural rights. The left-wing Wikipedia uses the term “civil rights” instead of natural rights. They do not even want you to have that term in your lexicon because natural rights are those that the God of the Holy Bible gave you. What you might call instinct. For example you know you have the right to kill someone who is trying to kill you. In fact the “classic liberal” John Locke calls this war. War is just not for the elites to play. John Locke goes so far as to say that if a person comes on your property with the intent to do you harm, he has committed an act of war. An act of war which you may prosecute to its logical conclusion; whether that be a peace treaty or the elimination of your enemy. The point being that you have the natural right to choose your own destiny.

The caveat, of course, is that you cannot interfere with the rights of another in their pursuits, so long as those pursuits

are legal. You can build a three-story house even if that house blocks your neighbors view of Mount Shasta. You CANNOT, however, dump toxic chemicals and waste in a waterway which runs through the property of others who might use that water, nor can you dam it up to prevent the flow.

The so-called “liberals” of today are properly called “progressives.” That is the term which Theodore Roosevelt, Woodrow Wilson and Franklin Delano Roosevelt used to describe their methods of circumventing the Constitution of the United States of America.

**ARE YOU WAVING THE RED FLAG?**

The same system of labels applies during every election. The Republicans eagerly await the posting of red colored States across the map without even realizing what they are doing. They wave red flags and post on sites called “Redstate” and wear red shirts when they should ONLY wear a red shirt on Friday for Remember Everyone Deployed (RED) Friday.

Does anyone remember what a red flag represents? There are two States in the world with red flags. Communist Russia and Communist China. Even the word Communist is incorrect for these States because they do not practice Communism as outlined by Friedrich Engels. You might not know that name, but he did most of the work accredited to Karl Marx. That’s okay though. Engels was a good communist and let Marx take the credit. What current communist governments should be called are tyrannical. That is the term used by the so-called founding fathers.

What the left-wing media has done is to get well-meaning Republicans to cheer the spread of Communism across the United States. And to cheer their own demise. Remember the old phrase, “Better dead than red?”

If we were to actually have a truth in labeling law, why would the red States not represent the Democrats since they

represent tyranny? Why are they given the color of the “true blue” American? And if FOX news is the “conservative” alternative, why are they doing the exact same thing?

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# I am militia. And so, probably, are you.

> *A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.*

Second Amendment of the Bill of Rights, U.S. Archives

> *There is something so far-fetched and so extravagant in the idea of danger to liberty from the militia, that one is at a loss whether to treat it with gravity or with raillery; whether to consider it as a mere trial of skill, like the paradoxes of rhetoricians; as a disingenuous artifice to instil prejudices at any price; or as the serious offspring of political fanaticism. Where in the name of common-sense, are our fears to end if we may not trust our sons, our brothers, our neighbors, our fellow-citizens? What shadow of danger can there be from men who are daily mingling with the rest of their countrymen and who participate with them in the same feelings, sentiments, habits and interests? What reasonable cause of apprehension can be inferred from a power in the Union to prescribe regulations for the militia, and to command its services when necessary, while the particular States are to have the SOLE AND EXCLUSIVE APPOINTMENT OF THE OFFICERS?*

Alexander Hamilton, Federalist Paper No. 29

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I will start off this article with a quick discussion of the numeric importance of the Bill of Rights. Some have in mind that the Second Amendment, as we know it today, is placed at Number Two for a reason. Actually it is not. None of the Bill of Rights is more important that any other. The Second Amendment started out as Number 4 because there were actually twelve proposed amendments originally intended to make up the Bill of Rights. The first two were cut.

I have heard from various organizations and people who have disparaged the militia. This is actually not, necessarily, their fault. It is the fault of the media and your own government. The problem is that these people do not check the facts. What concerns me is that groups that should know better want to somehow distance themselves from the fact that they are militias.

The picture of the militia that the *Department of Fatherland Security* and the *Southern Enriched-by-taxpayer-dollar Law Center* paint of the militia is patently false. I would like to say that they misunderstand the concept of the militia or even that they truly believe that old line about our military taking care of us. I know better, however. Their whole plan is to scare you into thinking that they are somehow concerned for your safety.

The fact is that I am militia and have no choice. More than likely, so are you.

I am not going to offer just my own opinion on the matter. I will source information that you can look up and find on the Internet. Many from government sources. You will see that the laws concerning the subject are rather convoluted and that is by design. I hope to straighten everything out with the words

of the so-called founding fathers. After all that is what Justice Sonya Sotomayor advised.

The one thing you should keep in mind is that the militia is not a concept developed by Americans. It goes way back. It was brought to America, however, by the first settlers of the Virginia colony in 1607. It stayed with us throughout the development of the Thirteen Colonies until it was used to throw off the perceived chains of tyranny by the British Crown.

It is a fact that the militia actually reacted when Britain sent troops to round up the guns of the Massachusetts militia. While Congress debated independence in 1775, the War of Independence had already begun on the battlefields of Lexington and Concord.

In his General Orders of July 2, 1776, General George Washington wrote:

> *The time is now near at hand which must probably determine, whether Americans are to be, Freemen, or Slaves; whether they are to have any property they can call their own; whether their Houses, and Farms, are to be pillaged and destroyed, and they consigned to a State of Wretchedness from which no human efforts will probably deliver them. The fate of unborn Millions will now depend, under God, on the Courage and Conduct of this army—Our cruel and unrelenting Enemy leaves us no choice but a brave resistance, or the most abject submission; this is all we can expect—We have therefore to resolve to conquer or die: Our own Country's Honor, all call upon us for a vigorous and manly exertion, and if we now shamefully fail, we shall become infamous to the whole world—Let us therefore rely upon the goodness of the Cause, and the aid of the supreme Being, in whose hands Victory is, to animate and encourage us to great and noble Actions—The Eyes of all our Countrymen are now upon us, and we shall have their blessings, and praises, if happily we are the*

> *instruments of saving them from the Tyranny meditated against them. Let us therefore animate and encourage each other, and shew the whole world, that a Freeman contending for Liberty on his own ground is superior to any slavish mercenary on earth.*

The "Colonial Army" was immediately disbanded after the war. In 1782, Benjamin Franklin published *Information to Those Who Would Remove to America*. In this he wrote:

> *These Ideas prevailing more or less in all the United States, it cannot be worth any Man's while, who has a means of Living at home, to expatriate himself, in hopes of obtaining a profitable civil Office in America; and, as to military Offices, they are at an End with the War, the Armies being disbanded. Much less is it adviseable for a Person to go thither, who has no other Quality to recommend him but his Birth. In Europe it has indeed its Value; but it is a Commodity that cannot be carried to a worse Market than that of America, where people do not inquire concerning a Stranger, What is he? but, What can he do? If he has any useful Art, he is welcome; and if he exercises it, and behaves well, he will be respected by all that know him; but a mere Man of Quality, who, on that Account, wants to live upon the Public, by some Office or Salary, will be despis'd and disregarded.*

Until 2008 anyway.

The War of 1812 up to, and including, the Civil War was fought by militias.

Now there was a core of officers who studied tactics and wars at West Point. The idea was to have a core of knowledgeable officers to take command of the militias in the event of a war until others could be called up and trained as regular army.

The concept of a standing army, repugnant to the likes of George Washington—the army that we have today—came about after the Civil War when the Representatives and the Senators of the North wanted to punish the South. That led to the *Posse Comitatus Act* of 1878. I will not delve into that act in this article. Nor will I dwell on whether that standing army was, or is, a good or bad idea. I suggest that you open your eyes to see how they have been misused to make up your own mind. The point is that until the Civil War, we had no standing army.

Keep in mind, also, that I am referring to the Constitutional militia. The Constitutional militia is to defend the borders of the State and assist other States as necessary and able. It is also to ensure that the national and State government obey and protect the Constitutional form of government and the Bill of Rights and ALL natural rights of the citizens. Yes, the government employees are supposed to be scared to violate their oath of office. Any group that advocates killing police officer or suppressing the rights of LEGAL fellow citizens are not a militia. The Klu Klux Klan, La Raza and the Black Panthers are NOT examples of militias.

**THE LAWS**

Article I, Section 8, Clause 11 – 16 give Congress the authority to:

- To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
- To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;
- To provide and maintain a Navy;
- To make Rules for the Government and Regulation of the land and naval Forces;
- To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel

Invasions;

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

These are their "War powers." Some take Clause 12 to mean that the government could not maintain an army for more than two-years. That clause, however, only means that appropriations for the military must be made every two-years. This is where we get the National Defense Authorization Act, or NDAA.

What is important are Clauses 15 and 16. Clause 15 specifies what the militia is for. (1) To execute the Laws of the Union (the Constitutional laws), (2) to suppress insurrections and (3) to repel invasions. None of these actions are related to anything in a foreign country. They are SPECIFICALLY related to here in the good old U.S. of A. This will be important later.

Clause 16 of Article 8 requires Congress to organize, arm and discipline the militia. Discipline, in this case, means to train people to obey a certain set of rules and punish them only as necessary to accomplish that goal. As you can clearly see they are supposed to ARM the militia, not disarm it. I will show presently that means that all weapons in the arsenal of the standing army are supposed to be made available to the militia, in accordance with the Second Amendment.

You might note that Clause 13 establishes absolutely no restrictions on the Navy and, by extension, the Marines. That is because they are supposed to be used over there. Not here. The Navy was a means of protecting our shipping lanes from pirates and other marauders. Interestingly the Title of the United States Code was repealed when they merged with other military units to become the new world order police.

Article I, Section 10 Clause 3

- No State shall, without the Consent of Congress, … keep Troops, or Ships of War in time of Peace, … or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article IV, Section. 4.

- The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

I refer to the above provisions of the Constitution for a couple of reasons. Here's a hint. It does tie in with the Tenth Amendment which ties in with the Ninth. If you cannot figure it out, I will connect the dots.

Notice the use of the term "Troops" instead of militia. That is because they are referring to a *standing army*; not the militia which are the citizens of the State. The national government has graciously granted the States permission to have a standing army when they stole the militias and formed a branch of the United States Army called the National Guard.

Notice that the Article IV, Section. 4. of the Constitution requires the United States to protect every State in this Union from invasion. The national government will not tell us how many Muslim terrorists, M-13 and other gang members and members of the drug cartel they armed have entered the United States through the porous southern border. I suppose they have not had time to tally up the number of lollipops that they gave out.

You might also note that Article IV requires the government to guarantee each State a "Republican" form of government. That has nothing to do with the Republican party of today. It does

make Statewide initiatives and referendums unconstitutional, however. But not recalls. They may be Constitutional on the County and City level.

Article I, Section 10, however, clearly gives the States the right to go to war if the national government does not do its job to repel invasion. No one can question we have been invaded by threatening, armed force in Arizona time-and-again. Since the "government," as you call them, is not doing the job, We the People can. That is because the militia, the people of the State, is necessary to the security of a FREE State.

**CONSTITUTION OF THE GREAT STATE OF ARIZONA**

The laws that I now cite concern the militia on the national level on down to the Great State of Arizona. I may go into a few other States if I can find their appropriate statutes.

ARTICLE 2

Section 26. Bearing arms
Section 26. The right of the individual citizen to bear arms in defense of himself or the state shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.

ARTICLE 16 MILITIA

Section 1. The militia of the state of Arizona shall consist of all capable citizens of the state between the ages of eighteen and forty-five years, and of those between said ages who shall have declared their intention to become citizens of the United States, residing therein, subject to such exemptions as now exist, or as may hereafter be created, by the laws of the United States or of this state.

Section 2. The organized militia shall be designated "The

National Guard of Arizona," and shall consist of such organized military bodies as now exist under the laws of the territory of Arizona or as may hereafter be authorized by law.

Section 3. The organization, equipment, and discipline of the national guard shall conform as nearly as shall be practicable to the regulations for the government of the armies of the United States.

According to Arizona, the "militia" of the the state of Arizona shall consist of all capable citizens of the state from 18 to 45 including those who have declared their intention to become citizens of the United States. That includes you, ladies. Section 2 declares that The National Guard is the "organized" militia.

The term National Guard was coming into vogue about the time that the Constitution of the State of Arizona was being written. The original "Dick Act" was written in 1903, sometimes called *The Efficiency in Militia Act of 1903*. I mistakenly reported once that Elihu Root wrote the bill, but he revised it organizing the militia into two groups. I will not go into detail, but the revision did not allow militia (still called militia at the time) to be used overseas. That did not occur until 1916. The second that provision went into effect, they exceeded the duties of the militia outlined in the Constitution and they were no longer militia.

Some say that the National Guard are the militia when not federalized, but are not the militia when federalized. By federalized I mean called into service of the national government. I cannot directly find a quote from the founders on this, but I am sure that the founders would be saying *Huh?*. The Constitution allows them to be, so-called, federalized, but ONLY for the purposes specified in the Constitution. None of which are overseas concerns to us.

Section 3 might be okay for the national guard since they are

nothing more than a branch of the United States standing army. The founders, however, were against military laws (they called them marshal laws), such as the Uniformed Code of Military Justice, unless in actual war for the militia. There has to be some law, of course, such as training requirements, who can give training, when you MUST train, calling the militia to active duty and so-forth. Civil penalties were okay and regulated by each State.

*Ah, ha!* say you. *You added Section 26 of the Constitution of Arizona which clearly states, 'but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.* That is correct. The Black Panthers are unconstitutional according to the Arizona State Constitution and illegal according to Title 26. But they are NOT militia. Those are insurrectionists and are to be put down by the militia.

Once again, the militia are the legal citizens of the State—in this case Arizona—and those who have actually applied for legal status from ages 18 to 45. No law against volunteers outside of that age range. The sole duty of the militia is to ensure the peace of their neighborhoods and towns and to ensure NO ONE infringes on the natural rights of they, their families or their neighbors.

For more information, read Federalist Paper No. 29 in particular. You might need to read No. 24 to No. 28 to get the whole picture. This is the paper I told you about that states that we should be armed and trained equal to the standing army.

The Arizona Revised Statute

The A.R.S. has a slurry of convoluted laws in Title 26 concerning the militia and the National Guard. The basic idea, however, is that the governor can call up the "unorganized militia" at any time and place them under the command of the

command of the National Guard.

You can find Title 26 here.

**ISN'T THE MILITIA GOING TO TAKE OVER THE GOVERNMENT?**

I should certainly hope not. I would fight against any entity that tries to usurp the Constitution and take over the government. That is simply because I know what the government is.

I am the government.

You must understand what the government is. For example what you call the "Federal Government" is NOT the federal government. The federal government consists of employees selected through fraudulent elections to represent our needs and protect our rights. The federal government consists of the national government centered in Washington D.C., the State legislatures, the county governments and the city governments. Ultimately the federal government is the people; you and me.

For a good lesson in *Federalism* one might turn to Bond v. United States (PDF). Start on Page 11 of the PDF file where the II is. No, that is not the page number. That is the Roman numeral 2. You will have to delve into other resources to fully understand, but that is a good start.

You might also be interested in reading about the Tenth Amendment.

**ISN'T THE NATIONAL GUARD THE MILITIA?**

No. Not by definition. Particularly not by Constitutional definition. The duties of the militia are clearly outlined in the Constitution of the United States of America. Remember in previous discussion we discussed the purpose of the militia. All of their duties are confined to actions within the borders of the United States. If any law or regulation allows them to be used outside of those confines, they become a division of

the standing army.

This came to a head in 1990 in the Supreme Court case of Perpich v. Dod in which the Supreme Court wrote that National Guard members take an oath to the State and the national governments. This, of course, causes an immediate skism.

They do note that Congress has allowed States to maintain their own troops. Title 32 United States Code Section 109 is that provision. Arizona tried to develop a State defense force a few years ago with H.R. 1083. It was killed in committee by Andy Biggs and the behest of Jan Brewer because it probably would have passed.

The bill, admittedly, was so flawed that it should have been re-written for the next session. The biggest flaw was that they were trying to make a branch of the National Guard; not a State defense force. It should have rated its own Chapter in Title 26.

**SUMMARY**

Let me start off by saying that nothing in this article is meant to disparage the National Guard nor the military. I was a member of the Navy and served temporary time in the standing army. National Guard units refused to assist the police in disarming citizens in New Orleans after Katrina; a completely unconstitutional act. That is EXACTLY what the militia is for. To maintain peace and stability in an emergency situation.

I could go into a lot more detail and reason on this subject, but if you made it this far there are a few possibilities.

(1) You have no idea about the subject and found this article through a search engine. If so, I urge you to read all views on the matter and think for yourself. Do not use MSN, CNN, the Southern Enriched-by-Taxpyer-Dollar Law Center or the like. If you do, just remember they are of the opposite opinion of me. Seek out legal articles by scholars. I do.

(2) You are a legal scholar or law student. Even better. Prove me wrong. Take your best shot (metaphorically speaking, please). The Constitution is rather clear on the subject. Start there. You have better access to the law books and can see how the laws developed. Just ask yourself if the laws actually match the intent of the Constitution.

(3) You are Gene Simmons and you were really, really bored.

The militia is already spelled out in the Arizona Constitution and the Arizona Revised Statute. It already exists and you are probably a part. It is probably the same in most common sense States.

*But I live in California and the National Guard is the militia in my State. So there*. Well, my friend, if you live in Kawliforna, you are misguided, more than likely, by the Supremacy Clause notion. What that means to you is that the Constitution of the United States of America and the laws take precedence. Therefore under Title 10, Chapter 13, Section 311 you are in the militia if you are from age 17 to 45. So there.

If you were prior military, the Title reads:

…except as provided in section 313 of title 32, under 45 years of age…

Title 32 U.S.C., Section 313 provides:

…or under 64 years of age and a former member of the Regular Army, Regular Navy, Regular Air Force, or Regular Marine Corps.

So the question remains, does one need government permission to form a militia. No. The militia is already formed and YOU are the government. The government employees are required by the Constitution of the United States of America to ensure that you are armed and trained equal to the standing army (Refer to Federalist Paper No. 29).

Let us examine a few instances. In 1946, corrupt politicians tried to usurp the election process in Athens, Tennessee. Veterans, returning home from the war, were trying to get elected to root out the corruption. When the politicians tried to steal the election, the veterans formed into a militia to ensure fair results. The event was dramatized in the 1992 television movie ***An American Story***.

In recent times Ferguson, Missouri and Baltimore, Maryland are big in the news. In Baltimore the "civil government" told police to stand down because they were only destroying property. What they did not show is African-Americans and other races standing together to protect property and somewhat confine the rioting. For example a group of armed African-American men stood together to protect the store they worked at and provided their livelihood. Guess what. They are militia. Yes, the militia—the citizens—can even defy their so-called government and the law to protect their rights, their property and the rights and property of others.

That does NOT mean arm everyone in the State. Obviously there are those who should not have arms and they are excluded by the Arizona Revised Statue. There are exemptions for certain elected officials. And there are criminals.

Even of those that CAN be armed, it does not follow that they HAVE to be armed. There are roles for clerks, hospital staff, cooks and so-on. They can choose to, and should have, firearms training, but it does not mean they necessarily have to lug it around.

The militia is not just there for war. They are also there to fight forest fires. Provide medical relief and comfort during an emergency.

And, yes, the States can and should train them to defend their entire border from drug traffickers and illegals.

# My dog ate my jury duty



I am writing this article as a bit of therapy. I will not include dates or details of the trial at hand, because they are not within the scope of this article. This is about my embarrassment as a potential juror. Hopefully this will assist you in the future.

I was called to jury duty, but was unfamiliar with the process. I was upset about the way the summons was issued because I was not even informed that I was in a period when I could be called. I will say that the court staff was extremely kind and understanding. That settled me quite a bit.

As potential jurors were dismissed, I eventually wound up in the jury pool. I had several problems. I provide health care assistance for another person and their family. I do not have transportation. Yes, in this day and age, I can afford neither a vehicle nor the insurance to cover it. Much less the gas.

I was offered a hotel room and was okay with that. As a reporter I was not sure if I reported on this particular case, but I found out I did not. So that was okay. I had to arrange for a care taker for my friend, however. The judge was kind enough to grant a short recess to arrange for a possible replacement. The transportation to get to the court house

(about 35 miles away) was borrowed. I had to return it because it was used to transport my friend. Yet, if selected, I would not have that opportunity. One thing after another conspired against me.

As I was speaking—with the bailiff watching—I realized that I had no place to keep my dog. This fact was insurmountable. My dog would only stay with one other person for any length of time with comfort. That person was out of my life.

I believe that the bailiff saw the stress was just too much for me and informed the judge who eventually excused me.

You might be thinking *Good job. You got out of jury duty.* I see web sites with braggarts about their ducking their Constitutional responsibility.

You might also find it curious to find that I wanted jury duty. You see, I am a veteran. Over 17-years of my life was spent protecting and defending the very right to trial by a jury of my peers. To defend a person against unconstitutional incarceration—To prevent a person from being railroaded into jail—would be the epitome of my service in the Navy. Of course if guilty, getting a criminal off of the streets would also be important to me.

I am the guy Janet Napalitano warned you about. I am a veteran with a copy of the Constitution (usually) who knows how to use it. As Thomas Jefferson wrote to Thomas Paine in 1789:

> *I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution.”*

You may not be able to pick up a gun and kill an enemy. You may not be able to spend days on end under the sea. Not everyone can bring themselves to go into battle. Jury duty, however, is one area in which you can serve your country and

preserve the Constitution without having to duck.

**WHY IS TRIAL BY JURY IMPORTANT?**

Imagine you come home from the graveyard shift. You are tired and you feel it is all right to leave the windows of your car open because you have another job to go to tomorrow and the summer days heat up quick. You hope that the interior of your car might just be cooler in the morning. You crawl off to bed for a restful night sleep.

At about 5 a.m., you are wakened by an incessant knocking at your door. You open it to find two police officers at your door. They inform you that there was a robbery and the alleged firearm was found in your backseat.

Who would you want as a juror? Someone who wants to serve? Or someone who is there simply because they could not come up with the right excuse?

At this point I would encourage you to find the movie Twelve Angry Men and watch it. Or read the play. [1] It is not only an entertaining film, but watch it for the lesson of what might transpire in the jury deliberation room.

Benjamin Franklin is oft quoted as writing: [2]

> *That it is better 100 guilty Persons should escape than that one innocent Person should suffer, is a Maxim that has been long and generally approved.*

The "Maxim" was derived from an earlier quote by Voltaire:

> *that 'tis much more Prudence to acquit two Persons, tho' actually guilty, than to pass Sentence of Condemnation on one that is virtuous and innocent.*

In *Commentaries on the Laws of England* 9th ed., book 4, chapter 27, p. 358 (1783, reprinted 1978), Sir William

Blackstone wrote:

> *"For the law holds, that it is better that ten guilty persons escape, than that one innocent suffer."*

Whatever "X" factor you wish to choose, the point is that trial by a jury of your peers has been guaranteed as a right since the Magna Carta of 2015; over 800-years ago.

*So you would let a rapist or murderer go free?* you might ask. I would not like to, no. Nor would I want to send a man to death row for thirty-years for murders he did not commit. If the prosecution cannot prove guilt beyond a reasonable doubt, you have to vote not guilty.

During the term of someone claiming to be governor of Arizona, the State created a guilty until proven innocent law. That law was used on Harold Fish [3] who was found guilty of defending his life. The law was reversed and grandfathered to his case. He was exonerated at a re-trial. The appellate court reversed the decision because:

> *In July 2009, the Arizona Court of Appeals reversed Fish's conviction because the* ***trial judge failed to give necessary jury instructions****, and because the judge improperly excluded evidence of Kuenzli's past acts of violence which Fish attempted to present to support his claim that Kuenzli was the aggressor.[4]*

Now do you see the importance of your place on a jury? More importantly, do you see why it is important for you to understand your authority as a juror? Even though Arizona passed a guilty until proven innocent provision, you know that is unconstitutional. It flies in the very face of the basis of our justice system. You can vote to acquit. That includes courts at the local and, so-called, federal level. It only takes one.

In the case of Harold Fish, I would have been that one.

**MY PROBLEMS WITH THE JURY PROCESS**

I do have problems with the jury process as it is practiced today.  The Supreme Court has decided that it is not required that the courts instruct you on the power you actually have. Thus you will probably have to research the jury duty process for yourself.

During my research I found the Fully Informed Jury Association site. There is a lot of good information including a PDF on how to survive the Voir Dire process. The Voir Dire process is the process in which defense and prosecuting attorneys can eliminate potential jurors. Saying the least is the best.

The prosecutor in this case asked if our family or friends would call me a "conspiracy theorists." Did anyone believe, for example, that we did not land on the moon. I raised my hand and the prosecutor asked if I really believed we did not land on the moon. I explained that I had seen the evidence and it was not conclusive. To set the record straight, I believe we landed on the moon because I neither have the time or inclination to examine the evidence.

My "conspiracy theories" are more along the lines of the erosion of our Constitution and Bill of Rights. The fact that windmills are more dangerous than good to our environment and wildlife. The fact that global warming has nothing to do with anthropomorphic C02, but simply the natural wobble of the earth on its axis. United Nations treaties targeted at destroying our Constitution and sovereignty as a nation. Things I can prove. Or disprove.

I have a problem with the courts not following the Seventh Amendment [5] which reads:

> *In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be*

> *preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.*

It does not say, *…where the value in controversy shall exceed twenty dollars to be increased 6% per annum allowing for cost overrides and etc. ad nauseum, the right of trial by jury shall be preserved.* It says *twenty dollars*. Admittedly you are probably not very bright if you are demanding a jury trial for a parking ticket. After all you are likely in line for a warning or maybe a fine of less than $100. If you persist, you may wind up with much more. Especially since you will upset the people that had to be pulled in for jury duty.

The point is that if you demand a jury trial, you are due one. Especially in the case of the employees you hire called the government are trying to take your property that might be well over $20. It should be twelve of your peers.

I was concerned about a jury of less than eight of my peers. I have found evidence in my studies, however, that there were juries of less than twelve in the past. If there is the possibility of you spending more than a year in prison or a hefty fine that you obviously cannot afford (and, thus, have to make it up in prison), you need a jury of twelve of your peers.

**PLAN AHEAD**

So my advice is that if you are ever summoned for jury duty, plan ahead. Plan on being picked. In fact, call the clerk and tell them you want to be in the first venire or panel. Remember that if you serve, you will not be required to serve again for a certain number of years. In Arizona it's two. Otherwise they can keep summoning you.

In my case, I did not understand that—if chosen—I would have to stay there for the duration. Or find away to travel the 70

miles back and forth each day. For the courts part, they offered me a hotel room which I immediately accepted. I thought that I would be able to take the borrowed car home. I found out that I would not. Next time I will see if a person is going to, or can take me to, the city of the court in question and pick me up if I do not get selected.

As for my friend, there are free services to caretakers—even if you are not a family member. In other words, if I need a vacation or, say, need to do jury duty, the county would have provided a free substitute for the duration. I did not realize this until after I was excused.

As for my dog, I have a problem. There is only one person that he would stay overnight with comfortably and that person is no longer in my life. It would be a stress on him to stay overnight with anyone else, much less three days (four including the day for jury selection). I would, however, arrange to have him stay with the closest person I know and he will have to suffer through. Have a trusted friend collect your mail daily and feed your cat or fish.

If you get summoned, just plan on getting selected. Especially if you are trying hard enough. Arrange for transportation if needed. Call the court and see if a taxi service is available. In my rural area this might not be an option.

Call the county or local offices and see if services are available to help you serve on jury duty. Aid in transportation or taking care of sick relatives. If you might be late for a bill payment, call the creditor or utility company and explain that you might be late because of jury duty.

Make your employer aware of your summons right away so that he can arrange to have that time frame covered. Employers are not required to pay for the time you spend at jury duty in most states, but they cannot fire you. It will be less stress on

your employer if you arrange for a cover just in case.

The point is that you should want to serve on a jury. A Grand Jury might be a little more of a problem, but it is an important part of our jury process. In fact the Grand Jury has to pass the case onto trial. You might be able to stop a politically motivated case from even going to trial.

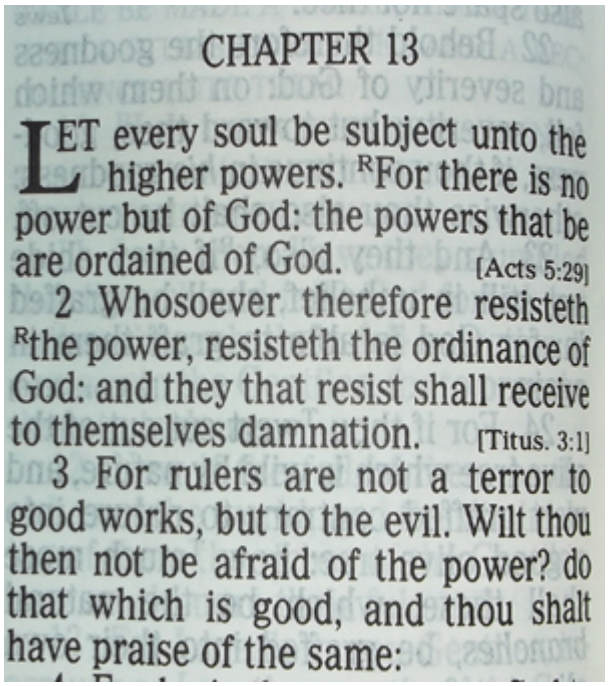
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# The Romans XIII lie

**NOTE: This article references PDF files which require Adobe PDF reader. If you do not want to read them online or for some other reason prefer to download the file, click the right button on your mouse and select *Save Link As*. You can, of course, print the files if you prefer.**

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CHAPTER 13

LET every soul be subject unto the higher powers. [R]For there is no power but of God: the powers that be are ordained of God. [Acts 5:29]

2 Whosoever therefore resisteth [R]the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. [Titus. 3:1]

3 For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same:

I find it interesting when the government gets religion. More accurately, I find it suspicious. Particularly when they speak under the banner of separation of Church and State.

I recently listened to a program on a web site called Love Guns and Freedom. Gianaluca Zanna Pastor Walt Mansfield from Ohio who exposed FEMAs use of pastors to perpetuating the Romans 13 lie.

I have run into this debate before. I debated this with a friend on a web site whom I am sure believes he is a good and devout Christian. He is absolutely convinced that the perverse interpretation delivered from the pulpit of FEMA (Which obviously violates their so-called separation of Church and State) is true and correct. That we should allow the absolute rule of His Majesty Obama and his court. By the way this is the same FEMA which violated the Constitution during the Katrina crisis and labeled the forefathers as terrorists.

I shall make a few observations first.

It is interesting that the court and his adoring serfs liken Obama to the mythical character of Robin Hood. Particularly since Robin Hood was an outlaw. What does that make Obama?

Another problem with this characterization is what Robin Hood stood for. Robin Hood lived in a era, so the myth goes, where the Normans were inflicting unjust rule over the Saxons with a leader who had usurped the power he was intrusted with. Prince John, the usurper, continually wrote "executive orders" which were in conflict with the the rule of law set forth by the rightful King of England—King Richard. King Richard was, at the time, off fighting against terrorists in the Middle East.

Indeed, the characterization of the Prince John is more apt to describe Obama.

The second observation is that those who call themselves the *foederal* (original spelling) government are being hypocritical. They use pieces of scripture to build their religion. This is not unusual since most "religions" do the same thing. They will feed you the lines of Jesus taking care of the poor. Yet, they ignore the scripture, "For even when we

were with you, this we commanded you, that if any would not work, neither should he eat." (2 Thessalonians 3:10) Taking care of the poor actually goes back to the Old Testament. Taking care of widows and orphans and those who cannot take care of themselves is Christian teaching. James 1:27 tells us, "Pure religion and undefiled before God and the Father is this, To visit the fatherless and widows in their affliction, and to keep himself unspotted from the world." In the Old Testament, when harvesting crops the farmers were ordered to leave a certain amount of food laying for the poor to gather. The onus was on *the people* to do this, not the employees of the people.

The third, and most interesting, observation in my mind is the fact that before the American War for Independence, the clergy was used to inspire the justification of their cause. The clergy was among the most educated in that era. Their opinions were highly regarded. When the war started they became the first Chaplains in the service of the United States actually participating in the battles.

One of the most wasteful uses of tax dollars is supporting those "Non-Profits" that support government positions. These "Pastors" who spew the Romans 13 nonsense actually get paid by the national government, according to some accounts.

Patrick Henry warned of this during the debates in Virginia to discuss the ratification of the Constitution. On June 9, 1788 he warned:

> ***Congress, by the power of taxation, by that of raising an army, and by their control over the militia, have the sword in one hand, and the purse in the other. Shall we be safe without either? Congress have an unlimited power over both: they are entirely given up by us. Let him candidly tell me, where and when did freedom exist, when the sword and purse were given up from the people?***

**ROMANS XIII**

The text in question is Romans, Chapter 13 beginning with Verse 1.

> *Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. 2 Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. 3 For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same: 4 For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. 5 Wherefore ye must needs be subject, not only for wrath, but also for conscience sake. 6 For for this cause pay ye tribute also: for they are God's ministers, attending continually upon this very thing. 7 Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour.*

Of course they completely bypass Romans 1:

> *21 Because that, when they knew God, they glorified him not as God, neither were thankful; but became vain in their imaginations, and their foolish heart was darkened. 22 Professing themselves to be wise, they became fools, 23 And changed the glory of the uncorruptible God into an image made like to corruptible man, and to birds, and fourfooted beasts, and creeping things. 24 Wherefore God also gave them up to uncleanness through the lusts of their own hearts, to dishonour their own bodies between themselves: 25 Who changed the truth of God into a lie, and worshipped and served the creature more than the Creator, who is blessed for ever. Amen. 26 For this cause God gave them up unto vile*

> *affections: for even their women did change the natural use into that which is against nature: 27 And likewise also the men, leaving the natural use of the woman, burned in their lust one toward another; men with men working that which is unseemly, and receiving in themselves that recompence of their error which was meet.*

In 1865, Andrew W. Young wrote *The Government Class Book*. This book was used extensively in schools throughout the States. Young was an educator who wrote several books on the topics of civics. In Chapter III—*Laws, defined.*—he wrote:

> ***Sec.7. If, as has been said, the laws of the Creator form a perfect rule of conduct for all mankind, and ought in all cases to be obeyed, then all human law ought to agree with the divine law. If a human law is contrary to the divine law, or if it requires us to disobey the commands of God, it is not binding, and should not be obeyed.***

So-called Progressives love to use the words of Thomas Paine "The atheist." Like many religious orders use pieces of scripture—including Romans 13—to make points, so too the Progressives.

This is really the crux of the matter at hand. The use of pieces of scripture rather than taking the Bible, or other work, as a whole.

Progressives like to quote Paine as attacking "Christianity" when he really attacked "Religion." Religious orders. He wrote *Common Sense* in support of the American War of Independence.

Yes, that dirty person violated Romans 13! *How dare he!*

Progressives do not like his message to the Quakers in the Appendix to the work:

> *O ye partial ministers of your own acknowledged principles.*

*If the bearing arms be sinful, the first going to war must be more so, by all the difference between wilful attack, and unavoidable defence. Wherefore, if ye really preach from conscience, and mean not to make a political hobbyhorse of your religion convince the world thereof, by proclaiming your doctrine to our enemies, for they likewise bear arms. Give us proof of your sincerity by publishing it at St. James's, to the commanders in chief at Boston, to the Admirals and Captains who are piratically ravaging our coasts, and to all the murdering miscreants who are acting in authority under him whom ye profess to serve. Had ye the honest soul of Barclay ye would preach repentance to your king; Ye would tell the Royal Wretch his sins, and warn him of eternal ruin. Ye would not spend your partial invectives against the injured and the insulted only, but, like faithful ministers, would cry aloud and spare none. Say not that ye are persecuted, neither endeavour to make us the authors of that reproach, which, ye are bringing upon yourselves; for we testify unto all men, that we do not complain against you because ye are Quakers, but because ye pretend to be and are NOT Quakers.*

*Alas! it seems by the particular tendency of some part of your testimony, and other parts of your conduct, as if, all sin was reduced to, and comprehended in, the act of bearing arms, and that by the people only. Ye appear to us, to have mistaken party for conscience; because, the general tenor of your actions wants uniformity—And it is exceedingly difficult to us to give credit to many of your pretended scruples; because, we see them made by the same men, who, in the very instant that they are exclaiming against the mammon of this world, are nevertheless, hunting after it with a step as steady as Time, and an appetite as keen as Death.*

*The quotation which ye have made from Proverbs, in the third page of your testimony, that, "when a man's ways please the Lord, he maketh even his enemies to be at peace with him"; is*

> *very unwisely chosen on your part; because, it amounts to a proof, that the king's ways (whom ye are desirous of supporting) do note please the Lord, otherwise, his reign would be in peace.*

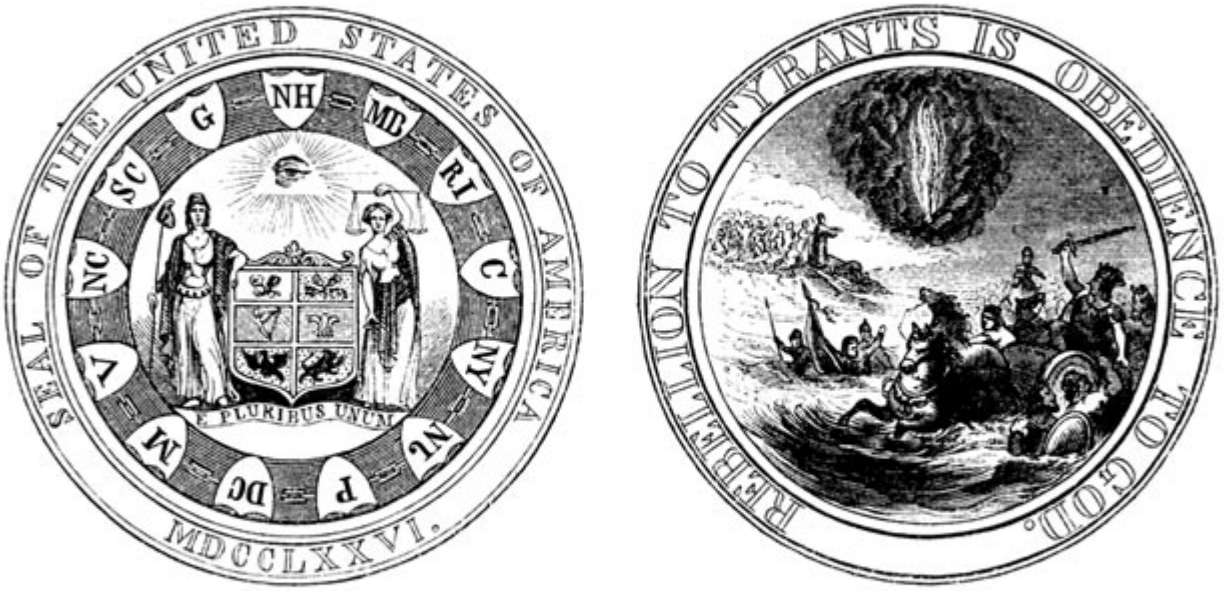
The Quakers were screaming for peace. Most notably John Dickenson of Philadelphia at the First Continental Congress. The use of arms was abhorrent to them. The Quakers may have even referred to Romans 13 in their defense—though I cannot find records to prove that.

Thomas Paine was not recommending a double-barrel shotgun shot into the air.

Another person progressives love to quote (except for his stance on the ownership of firearms) is Thomas Jefferson. The seal of the United States that he designed included his personal quote:

> *Rebellion to tyrants is obedience to God.*

n heraldic phrase. The first gold, and an enumeled rose, red and white, for England; the second white, with a thistle, in its proper colors, for Scotland; the third green, with a harp of the whole, SEAL OF THE UNITED STATES OF AMERICA. MDCCLXXVI. For the reverse, he proposed the following device: Pharaoh, sitting in an open chariot, a crown on his head and a




JEFFERSON'S DESIGN.

sword in his hand, passing through the divided waters of the Red Sea in pursuit of the Israelites. Rays from a pillar of fire in a cloud, expressive of the Divine presence and command, beaming did not think it of sufficient importance to put it on record; and nothing more was done, I believe, until the spring of 1779. Jefferson, you know, soon went to Virginia; Franklin was

This leads to the final argument against the Romans 13 lie.

**FEDERALISM**

> *"When government acts in excess of its lawful powers, individual liberty is at stake."—Justice Kennedy, Supreme Court, Bond v. United States (564 U.S. __ (2011))*

Most children were taught even before Communist Cores schools that the *foederal* government is that government which resides and does business in the District of Columbia.

The Supreme Court made one of its rare unanimous decisions concerning the concept of federalism in the case of Carol Anne Bond v. United States in 2011 (PDF; Alternate PDF with notations). It strengthened the Tenth Amendment of the Bill of Rights. More importantly, the short decision is a primer on what federalism actually is.

The important text of the brief 14 page decision written by Justice Kennedy starts at Section III on Page 8. It should be read by every student in the Great State of Arizona, if not the whole States United. It is more important to understand this concept than passing the immigration test. Most of the employees you put into office DO NOT understand this concept.

If you have children, you should download and print this decision. Read it with them and discuss it.

**THE CONSTITUTION DEFINES THE GOVERNMENT**

A final analysis takes a look into why rebellion against a tyrannical government—particularly in the United States—represents compliance with Romans 13.

The Constitution of the United States defines the government. It defines it very clearly in Article IV, Section 4:

> *The United States shall guarantee to every State in this Union a Republican Form of Government,…*

This does NOT mean the "Republican Party." This is a form of government. It is NOT Democracy. There are elements of Democracy involved. Even Thomas Jefferson conceded that pure Democracy could only be exercised on the local level, i.e. county/city level.

It also defines the responsibility of those entrusted with protecting the rights of the People under the terms of that document. Article II, Section 1; Clause 8 of the Constitution requires the President to take an oath to:

> *Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."*

The “government” expanded this oath for “all others” in 5 U.S. Code §3331 specifies:

> *An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath:* ***“I, AB, 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. So help me God.”*** *This section does not affect other oaths required by law.*

Let us make something clear, at this point. The Constitution of the United States is not just the document that bears that title. The Constitution of a country is simply the “Law of the Land.” When the Pharaoh of Egypt said, *So let it be written, so let it be done*, it became part of the Constitution. The Articles of Association, Declaration of Independence and Articles of Confederation are equally a part of the Constitution.

Those people we hire at election time are our employees. Their job—whether national, State or local—is defined in the Declaration of Independence.

> *We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,…*

**What is the duty of the People?**

> *That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.*

Jefferson was paraphrasing the liberal writer John Locke. Liberal is the correct term. Liberal actually means a person who believes in limited government.

I urge you to view a copy of the Declaration of Independence. Look at the list of grievances outlined. Do you really believe that the Constitution of the United States was intended to turn those grievances into government bureaucracies?

In fact the example our forefathers gave to comply with Romans 13 was given on April 19, 1775 in Concord and Lexington.

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# My computer is pleadin' the Fifth

## Fifth Amendment case in Denver causes concerns

by Glen C. Davis

Recently, the Supreme Court ruled that GPS tracking devises violated the Constitutional Fourth Amendment guarantees because people have a reasonable right to privacy in their cars. As I understand the ruling, however, if you have *OnStar*®

or one of the other government tracking devices already in your car, they can track you through that system.

On January 4th, the Denver Post reported on another example of the courts grappling with the Bill of Rights in the digital age. And the case is shaking up civil liberties groups.

The case involves Ramona Fricosu who was allegedly involved in a fraud scheme along with her husband. One of the items seized by the prosecutors was her laptop computer. The laptop, however, was encrypted and the prosecutor could not retrieve the contents. Fricosu refused to give the password citing her Fifth Amendment right against self-incrimination.

John Ingold of the Denver Post reported on the 24th, "In an order issued Monday, U.S. District Judge Robert Blackburn said requiring Ramona Fricosu to provide an unencrypted version of her laptop's hard drive to prosecutors does not violate her rights against self-incrimination. Instead, Blackburn ruled that providing the unlocked laptop wouldn't be self-incriminatory because it wouldn't prove anything that the government doesn't already know."

Hanni Fakhoury, an attorney with the Electronic Frontier Foundation, still thinks the Fifth Amendment applies in this case, according to the article. The case is going to the 10th Circuit Court of Appeals.

This is actually a compelling case and one likely to make it to the Supreme Court. On the one hand, you do have a right not to provide incriminating evidence in the Fifth Amendment. That is why signing anything "under penalty of perjury" is quite frankly unconstitutional. You cannot be compelled to sign away your rights.

On the other hand, the Fourth Amendment guarantees, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated,…" While the police today have pretty much the

same power that the “Redcoats” had prior to the revolution—which was among the chief complaints of the colonists—they still must obtain a warrant from a judge. In this case, they did that and the seized computer was among the evidence for their case. Whether or not the computer and the location of the computer was specified on the warrant as is REQUIRED by the Fourth Amendment is another topic.

In this case, I would have to agree with District Judge Blackburn. Apparently the laptop was just another piece of evidence in the pieces of evidence that they already had.

Let us set another scenario, however. Let us say that a person is sitting and using a wireless laptop at a coffee shop. A police officer wanders over and the person presses a button and locks the computer. Does the officer have a “probable cause” to order the person to unlock the laptop? No. This would violate both the Fourth and Fifth Amendment. If the officer “sees” something that the person is doing and knows that it is illegal, he may then have probable cause to arrest and cause the person to unlock the computer. He already sees it and knows it is there. If the coffee shop owner, however, sees actual evidence that the person is using the computer for illegal purposes and reports it, then the police have enough for a warrant and to cause the person to unlock.

Granted, in the case of Fricosu, the prosecutors and police have not “seen” the contents so they do not “know” there is anything related to the case on the computer at all. That may be an “out” in this case. Still, I believe there is enough “probable cause” that this does not represent a violation of either the Fourth or Fifth Amendment. Does the lock on your front door, for example, give you a Fifth Amendment right to keep officers from performing their duty after they have complied with the Fourth Amendment?

One question that might come up, however, is what about online storage sites? If a person stores the data at an online site

that is not listed on the search warrant, can the police access it or use it as evidence? I would think not until they obtained another warrant for the evidence. Of course, that would be served to the provider of the service, not the defendant.

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# Schenck v. United States: A clear and present revisit

Rather than rehash the difference in democratic principles between the founding fathers and those of the democratic party today, I would like to begin this article by referring you to my previous article on the subject. It is a long-winded way of saying that when I refer to Marxist democrats, I am referring to the democrats today rather than the Locke democrats of our history. This seems, to my mind, the best way to preface this article. Certainly I do not mean to imply that all democrats are Marxists. The article, however, explains itself.

I preface it in this fashion because I find Schenck v. United States 249 U.S. 47 (1919) an interesting First Amendment case in light of what is happening today. It is important for more than just the fact that it coined two phrases.

In this case, Oliver Wendell Holmes wrote,

> *"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic. It does not even protect a man from an injunction against uttering words that may have all the effect of force."*

In paragraph 5 he writes further,

> *"The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent."*

This is the coining of the phrases, "You can't yell fire in a crowded theater" and "clear and present danger."

That begs the question of what is a "clear and present danger?" John McCain and 92 of his cohorts seem to feel that they have answered that question with the passage of S. 1867 and the infamous Section 1301 of the National Defense Authorization Act. Diane Feinstein even wrote an amendment to ensure that there was a provision in this section that it did not apply to American citizens. She voted on it even though her amendment failed. The gist of this, as you may have read, is that the military now has the authority to round up "dissidents" and place them in Gitmo and other foreign prisons to silence them.

Apparently our own gulags are too full of those damn pot smokers!

So what constitutes a "clear and present danger?" Is it the gal with the peace sticker on her car? Certainly a person with a pocket Constitution and a Ron Paul sticker is suspect. Are you "supporting terror" and "not supporting our troops" or aiding the enemy if you speak out against the war? I suppose that you can add me to that list because I speak out against the war precisely because I support the troops. I object to dumping a trillion dollars into a war which killed and dismembered thousands of our dedicated young people with no clear objective to achieve. It is the same process we used on our Vietnam veterans who served their country and returned to be spat upon and to be told that they are really not sick.

Even Discover Magazine used space—best served to teach us the grandeur of evolutionary science—to comment on the horrors of S. 1867. Salon is one of the few that are using the Marxists clarion call of, "It's not that bad." You may find the opposing view there.

What is interesting is that the case concerns ***Comrade*** Schenck—the general secretary of the Socialist Party—who was convicted on three counts of conspiracy. He was distributing pamphlets to drafted men to avoid the draft and stay out of World War I. I suppose, now, we know where the Marxist of the sixties got the idea to "burn their draft cards."

Now those Marxists form the core of the usurped "Democratic Party" and the Southern Poverty Law Center. They are now using this "clear and present danger" theory to attack anyone who mentions the Constitution and that they have rights under the Bill of Rights. They attack anyone who speak out against the intrusion on our rights. Especially anyone who knows the truth about the Second Amendment. They have attacked the "TEA party" movement as terrorists and the Oathkeepers who do not advocate violence or that people stay out of the military or police—only that they remember their oath to the Constitution.

It seems strange that this decision seems to have come full circle. From applying these principles to those who were advocating violations of the Constitution to those who are defending it.

As these Marxist often do, they do not use quotes except those that serve their needs. They do not quote Abraham Lincoln who said, "To sin by silence when they should protest makes cowards of men." There probably is no text book in school that quotes Thomas Jefferson who said, "No experiment can be more interesting than that we are trying, and which we trust will end in establishing the fact, that man may be governed by reason and truth. Our first objective should therefore be, to leave open to him all the avenues of truth. The most effectual

hitherto found, is the freedom of the press. It is, therefore, the first shut up by those who fear the investigation of their actions."

As the Anti-Federalist *Brutus* observed, "But remember, when the people once part with power, they can seldom or never resume it again but by force. Many instances can be produced in which the people have voluntarily increased the powers of their rulers; but few, if any, in which rulers have willingly abridged their authority. This is a sufficient reason to induce you to be careful, in the first instance, how you deposit the powers of government."

Schenck v. United States 249 U.S. 47 (1919)

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# Arizona State Guard White Papers

I have published two white papers on an Arizona State Guard at the Constitutional Republic Party web site. They are PDFs requiring Adobe Reader. I am working on more.

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# Question Insanity: What to Ask Progressives

December 27, 2010 – **by Oleg Atbashian**

***An ex-Soviet immigrant goes Socratic on his liberal American***

***critics.***

The two women who showed up early for my book signing at a small bookstore in Houston, TX, never even bothered to open my book. Wearing knowing smiles, they engaged me in a bizarre discussion that wound up leaping all around the known and unknown universe. They hadn't the slightest curiosity about my ideas as an ex-Soviet immigrant in America, or what I had to say about my experience working inside the two ideologically opposed systems. As it turned out, they had spotted my flyer in the store window the day before, and the book's title — Shakedown Socialism — had enraged them so much that they decided to return the following day and give me a piece of their collective mind.

Their act almost made me feel as if I were back in the USSR, where the harassment of people with my opinions was the norm. The shorter, pudgier woman was the soloist bully, while her skinnier, older comrade provided backup vocals and noise effects. The duo's repertoire was an eclectic collection of unoriginal talking points, each branded with an almost legible label: NPR, Air America, MSNBC, and so on. Not only were those mental fragments mismatched in key and rhythm; the very existence of harmony seemed an unfamiliar concept to them. But compared to the hard-core screaming I used to hear from card-carrying Soviet bullies, this was almost elevator music. If I had survived the original cast, I could certainly handle a watered-down remake.

Pajamas Media
SEE ALSO: The People's Cube

# SOME THOUGHTS ABOUT WRITING

**Thomas Sowell**

> *Some young would-be writers may lament their misfortune in living out in the boondocks, instead of being at the heart of the publishing industry in New York. When I first started writing, in my teens, I lived in New York City and worked in downtown Manhattan. That is how I got my rejection slips back so fast. If I had lived out in Podunk, I could have dreamed on, in a fool's Paradise, from Monday morning until Thursday or Friday evening, before the brutal truth caught up with me.*

From time to time, I get a letter from some aspiring young writer, asking about how to write or how to get published. My usual response is that the only way I know to become a good writer is to be a bad writer and keep on improving. However, even after you reach the point where you are writing well—and that can take many years—the battle is not over. There are still publishers to contend with. Then there are editors and, worst of all, copy-editors.

Finally, the last hurdle are the book reviewers, only some of whom actually review the book. These people are all part of the gauntlet that the writer has to run, in order to reach the person for whom his writing was intended from the outset—the reader. All too often, you never know if your book has reached the reader in any sense other than the fact that it was bought. It could be gathering dust on a table or a shelf. In some cases, however, heartfelt letters come in, telling you that your book has reached readers in the sense in which you wanted it to reach them. That makes all the struggle seem worthwhile.

Read more by Thomas Sowell.

# Janet Napolitano for Supreme Court

With news that former Governor Janet Napolitano is a possible candidate for the Supreme Court, one might wonder just how she would interpret the Constitution of the United States of America. Would she interpret it "loosely?" Or would she actually feel bound by her oath to "support and defend the Constitution against all enemies foreign and domestic?"

Let's examine her most recent work at the Department of Homeland Security to see if we can divine some wisdom on the matter. She wrote an interesting Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment report and even developed her very own Lexicon.

In her "Rightwing Extremism" report, she concludes:

> *(U//LES) Rightwing extremists are harnessing this historical election as a recruitment tool. Many rightwing extremists are antagonistic toward the new presidential administration and its perceived stance on a range of issues, including immigration and citizenship, the expansion of social programs to minorities, and restrictions on firearms ownership and use.*

Let's examine our *perceived dangers* of the *restrictions on firearms ownership and use*. Since we are examining her possible fitness for the Supreme Court, perhaps we should examine the words of a wise Latino woman who recently became a Supreme Court justice. During her confirmation, Sonia Sotomeyer spoke these wise words:

> *"The intent of the founders were set forth in the Constitution. They created the words; they created the document. It is their words that is the most important aspect of judging. You follow what they said in their words and you apply it to the facts you're looking at."* ***—Sonia Sotomeyer, Senate confirmation hearings, July 2009***

I wonder if she subscribes to the Davy Crockett school of Constitutional law?

On that basis, we shall examine just what the founding fathers might have thought about, say, the Second Amendment and "militia" duties in America.

> *"But though the scheme of disciplining the whole nation must be abandoned as mischievous or impracticable; yet it is a matter of the utmost importance that a well-digested plan should, as soon as possible, be adopted for the proper establishment of the militia. The attention of the government ought particularly to be directed to the formation of a select corps of moderate extent, upon such principles as will really fit them for service in case of need. By thus circumscribing the plan, it will be possible to have an excellent body of well-trained militia, ready to take the field whenever the defense of the State shall require it. This will not only lessen the call for military establishments, but if circumstances should at any time oblige the government to form an army of any magnitude that army can never be formidable to the liberties of the people while there is a large body of citizens, little, if at all, inferior to them in discipline and the use of arms, who stand ready to defend their own rights and those of their fellow-citizens. This appears to me the only substitute that can be devised for a standing army, and the best possible security against it, if it should exist."* ***—Federalist Paper No. 29, Concerning the Militia***

Sounds like a rightwing extremist. Imagine. Allowing citizens to be armed in case a tyrannical government is installed that violates the Bill of Rights of the Constitution and considers the Constitution so much toilet paper. Dang. Recent examples escape my mind.

It does seem interesting that she does not seem to mind torture being used to "find out terrorists." In line with her *Rightwing Extremist* report, I guess that means torture may be used against people who believe murdering babies is wrong, returning veterans (turn-about is fair play, you understand) and members of the Tea Party movement.

I wonder how she would rule on the *Patriot Act*, that she now uses as extended by Obama. A Patriot Act that has been used against American non-terrorists. You can see what another unwise *Philistine* thinks about the Patriot Act here.

There are no Leftwing extremists, mind you. The SEIU only performs the public service of getting the word out for our new President. They are all just following the rules of their mentor Saul Alinsky.

> ** Rule 1: Power is not only what you have, but what an opponent thinks you have. If your organization is small, hide your numbers in the dark and raise a din that will make everyone think you have many more people than you do.*
> ** Rule 2: Never go outside the experience of your people. The result is confusion, fear, and retreat.*
> ** Rule 3: Whenever possible, go outside the experience of an opponent. Here you want to cause confusion, fear, and retreat.*
> ** Rule 4: Make opponents live up to their own book of rules. "You can kill them with this, for they can no more obey their own rules than the Christian church can live up to Christianity."*
> ** Rule 5: Ridicule is man's most potent weapon. It's hard to counterattack ridicule, and it infuriates the opposition,*

*which then reacts to your advantage.*
** Rule 6: A good tactic is one your people enjoy. "If your people aren't having a ball doing it, there is something very wrong with the tactic."*
** Rule 7: A tactic that drags on for too long becomes a drag. Commitment may become ritualistic as people turn to other issues.*
** Rule 8: Keep the pressure on. Use different tactics and actions and use all events of the period for your purpose. "The major premise for tactics is the development of operations that will maintain a constant pressure upon the opposition. It is this that will cause the opposition to react to your advantage."*
** Rule 9: The threat is more terrifying than the thing itself. When Alinsky leaked word that large numbers of poor people were going to tie up the washrooms of O'Hare Airport, Chicago city authorities quickly agreed to act on a longstanding commitment to a ghetto organization. They imagined the mayhem as thousands of passengers poured off airplanes to discover every washroom occupied. Then they imagined the international embarrassment and the damage to the city's reputation.*
** Rule 10: The price of a successful attack is a constructive alternative. Avoid being trapped by an opponent or an interviewer who says, "Okay, what would you do?"*
** Rule 11: Pick the target, freeze it, personalize it, polarize it. Don't try to attack abstract corporations or bureaucracies. Identify a responsible individual. Ignore attempts to shift or spread the blame.*

*It's okay if we use violence. But, kids, don't try this at home.*

I don't know. Supposedly, Stevens moved from a *moderate conservative* to a Communist. I suppose the reverse could occur.